January 5, 2021

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 via Zoom on the 5th day of January, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James Colligan, Albert K. Dickson and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, Town Attorney Robert J. DeStefano, Jr. and approximately fifteen persons were also present.

The Supervisor called the meeting to order at 1:02 p. m.

Salute to flag.

The Supervisor presented the following statement:

This is the January 5, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting. The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

Town Justice Mary Faith Westervelt administered the oath of office to the newly elected Town Justice Stanley Birnbaum.

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 15, February 5, March 5 and 26, April 16, May 7, and 28, June 18, July 9 and 30, August 20, September 10, October 1 and 22, November 12, and December 3, 2021, and

BE IT FURTHER RESOLVED, That work sessions of the Town Board of the Town of Shelter Island will be held at 1 p. m. in the Shelter Island Town Hall, Shelter Island, New York on the following dates: January 5, 12, 20 (Wednesday) and 26, February 2, 9, 17 (Wednesday), and 23, March 2, 9, 16, 23 and 30, April 6, 13, 20, and 27, May 4, 11, 18 and 25, June 1, 8, 15, 22 and 29, July 7, 13, 20 and 27, August 3, 10, 17, 24 and 31, September 8 (Wednesday), 14, 21, and 28, October 5, 13 (Wednesday), 19 and 26, November 3 (Wednesday), 9, 16, 23 and 30, December 7, 14 ,21 and 28, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, 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 and Bridgehampton National Bank shall be the official depositories for general, highway and federal funds, and

BE IT FURTHER RESOLVED, That Supervisor Gerard F. Siller, Councilwoman Amber Brach-Williams, and Councilmen James Colligan, Albert Dickson and Michael J. Bebon 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 Shelby Mundy are hereby authorized to make transfers of Town funds amongst the designated banks.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 3

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Supervisor Gerard F. Siller, Councilmen James Colligan, Albert Dickson and Michael J. Bebon, and Councilwoman Amber Brach-Williams are hereby appointed to serve as Police Commissioners for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 4

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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 Town, 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 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 5

Councilman Dickson offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Councilman Colligan, to wit:

BE IT RESOLVED, That Town officials and employees will be reimbursed, subject to audit, at the rate of $.56 per mile for their mileage on Town business for the year 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

BE IT RESOLVED, That Coco Lee Thuman is hereby appointed to serve as part time Clerk in the Receiver of Taxes Office at the rate of $23.04 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 8

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Coco Lee Thuman is hereby appointed to serve as Provisional Assessment Clerk for the year 2021 at the rate of $23.04 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 9

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Michelle Congdon is hereby appointed to serve as part time Justice Court Clerk for the year 2021 at the rate of $23.04 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 10

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That John Spinelli is hereby appointed to serve as Court Officer for the year 2021 at the following rate;

the first 2 hours at $50.00 per hour, additional hours at $20.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Councilwoman Amber Brach-Williams is hereby appointed to serve as Deputy Supervisor for the year 2021, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

BE IT RESOLVED, That Judy Meringer is hereby appointed to serve as Confidential Secretary to the Supervisor for the year 2021, for 30 hours per week, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 13

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Craig Wood is hereby appointed to serve as Tax Administrator and Chairman of the Board of Assessors for the year 2021, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 14

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Brian Sherman is hereby appointed to serve as Commissioner of Public Works for the year 2021 to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 15

Councilman Dickson offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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 2021 for 38 hours per week, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Linda D. Cass is hereby appointed to serve as part time Town Custodian for the year 2021 at the rate of $29.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as part time Town Custodian for the year 2021 at the rate of $29.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 18

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Giovanna Ketcham is hereby appointed to serve as part time Town Custodian at the rate of $29.00 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 19

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Tracy Gibbs is hereby appointed to serve as part time Town Custodian at the rate of $29.00 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye

	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 20

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

BE IT RESOLVED, That Crystal Steinmuller is hereby appointed to serve as part time Town Custodian at the rate of $28.00 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Arthur Bloom is hereby appointed to serve as Detention Attendant for the year 2021 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 22

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

BE IT RESOLVED, That Catherine Rasmussen is hereby appointed to serve as Detention Attendant for the year 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 23

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Amanda Gutiw is hereby appointed to serve as Detention Attendant for the year 2021 to be paid at the rate of $36.18 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 24

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Tracy Gibbs is hereby appointed to serve as Detention Attendant for the year 2021 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 25

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

BE IT RESOLVED, That Beau Payne is hereby appointed to serve as Detention Attendant for the year 2021, to be paid at the rate of $49.41 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Jose Manuel Payano Cruz is hereby appointed to serve as Detention Attendant for the year 2021 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit

BE IT RESOLVED, That John Spinelli is hereby appointed to serve as Detention Attendant for the year 2021 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 28

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Taylor Rando is hereby appointed to serve as Detention Attendant for the year 2021 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 29

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,350.00 from the 2021 A3989.400 NIMS contractual account to Onsolve, LLC, P. O. Box 865672, Orlando, Florida 32886-5672 for the unlimited CodeRed system service plan for the period January 9, 2021 through January 8, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 30

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

BE IT RESOLVED, That John Mahoney is hereby appointed to serve as Bay Constable for the year 2021 to be paid at the rate of $30.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Peter Vielbig is hereby appointed to serve as Bay Constable for the year 2021 to be paid at the rate of $30.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 32

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

BE IT RESOLVED, That Catherine Rasmussen is hereby appointed to serve as School Crossing Guard for the year 2021 to be paid as per agreement.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye

	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 33

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Jenny Zahler is hereby appointed to serve as part time Animal Control Officer for the year 2021 to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 34

Councilman Bebon offered the following resolution, which was seconded Councilman Dickson, 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 2021, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 35

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

BE IT RESOLVED, That William Clark, III is hereby appointed to serve as Town Historian for the year 2021 to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Mark Kearns is hereby appointed to serve as Maintenance Mechanic II for the year 2021 at the rate of $23.46 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

BE I T RESOLVED, That Tom Cronin is hereby appointed to serve as Laborer for the Residential Repair Program for the year 2021 at the rate of $19.57 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye

	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 38

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Karin Bennett is hereby appointed to serve as part time Office Assistant in the Senior Center for the year 2021, at the rate of $25.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 39

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That David Binder is hereby appointed to serve as Clerk at the Senior Center at the rate of $19.24 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 40

Councilman Dickson 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 Clerk at the Senior Center at the rate of $19.24 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 David W. Clark is hereby appointed to serve as Safety and Training Officer for the Shelter Island Highway Department for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Siller, to wit:

BE IT RESOLVED, That Donna King is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 43

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Alison Binder is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 44

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the rate of pay for Therapeutic Activities Workers for the year 2021 is hereby set at $22.15 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 45

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

BE IT RESOLVED, That Loretta Gillman Fanelli is hereby appointed to serve as Senior Citizens Aide II for the year 2021, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Councilman Colligan, to wit:

BE IT RESOLVED, That Sara Mundy is hereby appointed to serve as Senior Citizen Aide for the year 2021, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

BE IT RESOLVED, That Sara Mundy is hereby appointed to serve as AAA driver for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 48

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Mary Ann McGinn is hereby appointed to serve as AAA Driver for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 49

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That James Polychron is hereby appointed to serve as AAA Driver for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 50

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

BE IT RESOLVED, That Karin Bennett is hereby appointed to serve as AAA driver for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 David Binder is hereby appointed to serve as AAA Driver for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

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 Supervisor Siller, to wit:

BE IT RESOLVED, That the rate of pay for bus and minibus drivers is hereby set at $22.15 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 53

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Angela Corbett is hereby appointed to serve as Cook #1 for the Nutrition Program for the year 2021, to be paid at the rate of $22.32 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 54

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Carl Cosby is hereby appointed to serve as full time Cook for the Nutrition Program for the year 2021, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 55

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

BE IT RESOLVED, That Giovanna Ketcham is hereby appointed to serve as Cook for the year 2021, to be paid at the rate of $22.09 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

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 Teddy Dempsey is hereby appointed to serve as Cook #2 for the year 2021 at the rate of $19.25 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye

	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 57

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

BE IT RESOLVED, That Alison Binder is hereby appointed to serve as Dishwasher for the year 2021 at the rate of $16.44 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 58

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Robert Andrew is hereby appointed to serve as Food Service Worker for the year 2021 at the rate of $16.44 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 59

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Julia Weisenberg is hereby appointed to serve as Recreation/ FIT Aide for the year 2021 at the rate of $18.21 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 60

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

BE IT RESOLVED, That Barbara Bloom is hereby appointed to serve as Recreation/FIT Aide for the year 2021 at the rate of $17.85 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Councilman Colligan, to wit:

BE IT RESOLVED, That Trent Firestine is hereby appointed to serve as Recreation/FIT Aide for the year 2021 at the rate of $17.34 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as Recreation/FIT Aide for the year 2021 at the rate of $18.21 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 63

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Lindsay Rando is hereby appointed to serve as Recreation/FIT Aide for the year 2021 at the rate of $17.85 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 64

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit

BE IT RESOLVED, That Peter Miedema is hereby appointed to serve as Recreation/FIT Aide for the year 2021 at the rate of $18.21 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 65

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

BE IT RESOLVED, That Amira Lisle is hereby appointed to serve as Recreation/FIT Aide for the year 2021 at the rate of $17.68 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Katie Potter is hereby appointed to serve as Recreation/FIT Aide for the year 2021 at the rate of $17.85 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Siller, to wit:

BE IT RESOLVED, That Catherine Davidson is hereby appointed to serve as Assistant Recreation Leader for the year 2021 at the rate of $21.43 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 68

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as Assistant Recreation Leader for the year 2021 at the rate of $21.43 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 69

Councilman Bebon offered the following resolution, which was seconded Councilman Dickson, to wit:

BE IT RESOLVED, That Kelci McIntosh is hereby appointed to serve as Assistant Recreation Leader for the year 2021 at the rate of $21.43 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 70

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

BE IT RESOLVED, That Callie Smith is hereby appointed to serve as Recreation Specialist Instructor for the year 2021 at the rate of $30.00 per session.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

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 Peter Miedema is hereby appointed to serve as Recreation Specialist Instructor for the year 2021 at the rate of $30.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 72

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

BE IT RESOLVED, That Emily Kraus is hereby appointed to serve as FIT Manager for the year 2021, to be paid at the rate of $25.71 hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 73

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 2021, as follows:

FIT day membership	$15.00 per day,
Single fitness room membership	$255.00 per year,
Family fitness room membership	$395.00 per year,
Youth membership	$50.00 per year,
Full time College Student membership	$100.00 per year, and
Volunteers, EMTs & Active Military	$175.00 per year.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 74

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 75

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

BE IT RESOLVED, That Kristina Martin Majdisova is hereby appointed to serve as Office Assistant to the following committees: Planning Board, Zoning Board of Appeals, Waterways Management Advisory Council, Water Advisory Committee, Media Department and the Town Attorney for the year 2021, to be paid per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 76

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

BE IT RESOLVED, That Jane Roberts is hereby appointed to serve as Office Assistant for the Community Preservation Fund Advisory Board, Water Quality Improvement Advisory Board, Board of Assessment Review, Conservation Advisory Council, Community Housing Board, Contractors License Review Board, and EMS Advisory Board at the rate of $23.04 per hour for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 77

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

BE IT RESOLVED, That Coco Lee Thuman is hereby appointed to serve as Clerk for the Comprehensive Plan Advisory Committee for the year 2021 at the rate of $23.04 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 78

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,625.00 from the 2021 A8160.484 Landfill office and miscellaneous account to Creative Information Systems, 27 Lowell Street, Suite 402, Manchester NH 03101 for the scale software support and maintenance for the period January 1, 2021 through December 31, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 79

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $750.00 from the 2021 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 January 1, 2021 through March 31, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 80

Councilman Dickson 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 maintenance agreement between the Town of Shelter Island and Carr Business Systems, 500 Commack Road, Suite 110, Commack, New York 11725 for the copier in the Supervisor's office for a period of 36 months.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 81

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, 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 Gerard Siller, Amber Brach-Williams, Michael Bebon, Judith Meringer, Barbara A. Bloom, Mary Faith Westervelt, Jennifer Beresky, Annmarie Seddio, James Colligan, Kenneth Lewis, Robert J. DeStefano, Jr., Shelby Mundy, Michael Mitchell, Aidan Mysliborski, Joseph Finora, Stanley Birnbaum and Albert Dickson, 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 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 82

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the Intermunicipal Agreement between the Town of Shelter Island and the County of Suffolk to permit the Town to enter property located at SCTM No. 0700-23-1-24.010, Grace's Lane, to replace the bulkhead, provide for future repair and maintenance of the bulkhead, and to memorialize cost sharing for the project.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 83

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", pursuant to Resolution No. 570 - 2020, dated December 30, 2020, the Town Board authorized the lease-purchase number 9347 for a vehicle for the Highway Department, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $10,579.70 from the DA5130.249 highway machinery new truck account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 84

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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:

2021 Standard Work Day Elected and Appointed Positions

Title	Standard Work Day
<u>Elected Positions</u>	
Town Clerk	6 hour day
Supervisor	7 hour day
Town Board Members	6 hour day
Town Justice	6 hour day
Members - Board of Assessors	6 hour day
Assessors	6 hour day
Receiver of Taxes	6 hour day
Highway Superintendent	8 hour day
<u>Appointed Positions</u>	
Town Attorney	6 hour day
Members, Zoning Board of Appeals	6 hour day
Members, Planning Board	6 hour day
Deputy Town Clerks	6 hour day
Confidential Secretary to Supervisor	6 hour day
Confidential Secretary to Highway Superintendent	7.6 hour day.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 85

Councilman Dickson 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 $1,968.00 from the 2021 B3620.491 Building Department contracts account and $1,936.00 from the 2021 B8010.491 Zoning Officer contracts account to Software Consulting, 54 Elizabeth Street, Suite 17, Red Hook, New York 12571, for the deposit required for the software upgrade in the Building Inspectors'/Zoning Officers' office.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye

	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

The Supervisor presented the following list of Town Board Committees and liaisons for specified standing committees for the year 2021:

Highway & Public Works	Supervisor Siller
Waterways	Councilmen Colligan and Dickson
Buildings & Grounds	Supervisor Siller and Councilman Bebon
Recycling	Supervisor Siller
Financial Advisory Comm.	Supervisor Siller and Councilwoman Brach-Williams
EMS	Councilwoman Brach-Williams

The Supervisor appointed the following Town Officials to serve as Liaison for the specified standing Committees and Boards for the year 2021:

Senior Citizens Liaisons	Supervisor Siller and Councilman Dickson
CAC Liaisons	Councilmen Colligan & Bebon
WMAC Liaison	Councilmen Dickson & Colligan
WAC Liaison	Councilmen Dickson & Bebon
Planning Board Liaison	Councilman Bebon & Councilwoman Brach-Williams
Z. B. A. Liaison	Councilwoman Brach-Williams & Councilman Bebon
Comm. Pres. Fund Adv. Bd.	Supervisor Siller and Councilman Dickson
Transportation	Supervisor Siller
FIT/Recreation	Councilman Colligan
Community Center/Youth	Councilman Colligan
Community Housing Board	Councilwoman Brach-Williams and Councilman Bebon
Taylor's Island	Councilwoman Brach-Williams & Supervisor Siller
Deer & Tick Liaison	Councilman Colligan and Supervisor Siller
Grants & Capital Plan. Com.	Councilwoman Brach-Williams & Councilman Colligan
Green Options	Councilman Dickson & Supervisor Siller
IT Committee	Councilman Bebon
WQIAB	Councilwoman Brach-Williams and Councilman Dickson
SI Country Club	Councilmen Dickson and Colligan

At 1:49 p. m., Supervisor Siller moved and Councilman Colligan seconded to go into executive session to discuss personnel.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

This motion was thereupon declared duly adopted.

At 2:29 p. m., Supervisor Siller reconvened the Organizational Meeting, and on motion of Supervisor Siller and seconded by Councilman Colligan, the Organizational Meeting was adjourned.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

This motion was thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

January 15, 2021

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 January, 2021, via Zoom. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and two persons were also present.

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

Salute to flag.

The Supervisor presented the following statement:

This is the January 15, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting. The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

RESOLUTION NO. 86

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

"Whereas", Jeanne McCulloch, 5 North Menantic Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek approximately 138 feet west of applicant's dock; said mooring was formerly occupied by the W-1238 Cumming mooring and is located at latitude at 41.064003° north and longitude 72.354934° 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, 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 87

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

"Whereas", Miles Wilson, 57F Strobel Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay off Cackle Hill Town landing, approximately 105 feet east of the Shea mooring W-2740 and further designated as latitude 41.06566° north and longitude 72.36401° 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 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 88

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Bradley Coppens, 32 Little Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor, approximately 186 feet south of the Relyea mooring C-3560 and further designated as latitude 41.07969° north and longitude 72.30136° west; said mooring location was formerly occupied by the Trynin 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, 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 89

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Randy Meech, 7 Little 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 41.076469° north and longitude 72.308029° west; said mooring location was formerly occupied by the C-895 Compton 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 4:48 p. m., prevailing time, on the 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 90

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

BE IT RESOLVED, That Joe Finora, 1585 Hobart Road, Southold, New York, is hereby appointed to serve as Town Engineer for the Town of Shelter Island for the year 2021, to be paid as per the 2021 budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 91

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

"Whereas", the term of Albert Dickson as a member of the Contractors License Review Board will expire on March 11, 2021, 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 Contractors License Review Board for a term to expire on March 11, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 92

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

"Whereas", the term of Joseph Denny as a member of the Community Preservation Fund Advisory Board will expire on February 2, 2021, and

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

BE IT RESOLVED, That Joseph Denny is hereby reappointed to serve as a member of the Community Preservation Fund Advisory Board for a term to expire on February 2, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 93

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Section 64 subsection 19-d of the Town Law of the State of New York permits the Town Board to contract for the services of a Town Physician upon such terms and conditions as the Board may prescribe; and

"Whereas," the Town Board of the Town of Shelter Island wishes to retain the services of a physician to consult with regard to public health emergencies and ensure continuity of government services, now, Therefore

BE IT RESOLVED, That Dr. Joshua Potter is appointed to the position of Town Physician for the 2021 calendar year; and

BE IT FURTHER RESOLVED, That Dr. Potter shall be compensated at the rate of $2,000.00 annually for his services; and

BE IT FURTHER RESOLVED, That Dr. Potter shall consult with the Town regarding public health emergencies and provide the Town with necessary prescription services during any such emergency to ensure the continuity of government and public safety; and

BE IT FURTHER RESOLVED, That this appointment shall take effect immediately.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 94

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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 11, 2020, Margaret Anne Larsen was reappointed to serve as a member of the Planning Board for a term to expire on December 31, 2025, and

"Whereas", Ms. Larsen has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Ms. Larsen continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Margaret Anne Larsen is hereby reappointed to serve as a member of the Planning Board for a term to expire on December 31, 2025.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 95

Councilman Dickson 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 November 13, 2020, Stephen Lenox was reappointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2023, and

"Whereas", Mr. Lenox has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Lenox continue to serve the Town of Shelter Island 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, 2023.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 96

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 $37,800.00 from the 2021 A1620.476 computer services account to East End Computers LLC, 50 Hill Street, #265, Southampton, New York 11968 for the EEC annual managed service contract for the period January 1, 2021 through December 31, 2021, for the computers services contract.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 97

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the Service Level Agreement between East End Computers and the Town of Shelter Island to provide dependable, timely service and support for the technology needs of the Town of Shelter Island in a timely manner and to resolve issues on all computer systems.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 98

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", the Green Options Advisory Committee has purchased 'recycle bags' for sale to the public, and

"Whereas", said bags will be sold in the Town Clerk's Office, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to sell said recycle bags to the public at the rate of $5.00 per bag, tax included.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 99

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", sealed bids were received by the Town Clerk's Office until 3 p. m. on the 30th day of December, 2020, on the proposed replacement of groin number 7 on Shell Beach, at which time they were publicly opened and read aloud as follows:

Pete's Earthworks & Marine Construction, Inc.	$40, 964.00;
Costello Marine Contracting	$53,515.00;
Oysterponds Dock Building & Dredging Corp.	$38,731.00; and
Crowley Marine Contracting	$39,000.00; and

"Whereas", said bids have been reviewed by the Commissioner of Public Works and the Town Board, and

"Whereas", Oysterponds Dock Building & Dredging Corp. has notified the Commissioner of Public Works that their Corporation is unable to complete the project within the projected time period, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award said bid for the replacement of groin number 7 on Shell Beach to Crowley Marine Contracting for the sum of $39,000.00, the second lowest responsible bidder.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 100

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

"Whereas", Susan Wasilewski has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 47 Peconic Avenue, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $8,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $8,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye

	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 101

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 $3,750.00 from the 2021 A1620.476 Buildings computer services account to East End Computers, LLC, 26 Hill Street, Southampton, New York 11968, for 3 SonicWALL security suite, two year subscriptions on TZ-400 at the Highway Department, Ambulance and Justice Court for a two year term of December 15, 2020 through December 15, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 102

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

"Whereas", Alice Klaris, 18 Westmoreland Drive, has petitioned the Town of Shelter Island for a wetlands permit to remove existing single family residence and cesspools from regulated area; existing house to be relocated on new foundation outside of regulated area, and new IAOWTS with pressurized shallow drainfield to be installed outside of regulated 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 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 103

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 5th day of February, 2021, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor or in opposition to a proposed local Law entitled BOATS ON TOWN PROPERTY, to wit:

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

SECTION 1. Repeal Section 40-5, Section C entitled Board on Town Property and replace same with the following Section 40-5 of the Town Code, as follows:

40-5.1 – Storage of Boats on Town Property

A. Any Shelter Island resident may utilize and/or store a non-powered boat in designated storage areas on Town property between April 1 and November 30 of each calendar year provided that:

1. The boat is not longer than eighteen (18) feet and not wider that eight (8) feet;
2. The boat is firmly anchored or secured;
3. The boat display current registration numbers, if applicable; and
4. The boat properly displays a valid Boat Storage on Town Property permit sticker;

B. The Town shall issue a Boat Storage on Town Property sticker on a space available basis to any resident of the Town of Shelter Island.

C. Fees for registration based upon the size of the boat shall be determined by Town Board resolution.

D. The license shall be valid for a single calendar year.

E. By Resolution, the Town Board shall determine the total number of permits that may be issued Island wide or at any particular location.
F. The Bay constable shall determine the number of boats that may be stored in any designated storage area.
G. Boat trailers shall not be parked on Town property for more than 24 consecutive hours and shall not block access to any ramp or other public access to the water.
H. Any boat or trailer left on Town property between December 1 and March 31 of any year or that that does not otherwise comply with the provisions of this section may be removed and impounded by the Town without prior notice. Ownership of boats unclaimed after such period shall vest in the Town, which may sell the property at public auction to recover removal and storage costs.
SECTION 2. This Local Law shall take effect immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 104

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:52 p. m., prevailing time, on the 5th day of February, 2021, 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 ABANDONED VEHICLES, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:
SECTION 1. Chapter 124. Vehicles, Abandoned**,** Article I. Snow Emergencies is hereby amended as follows:
§124-1. Definitions is renumbered as §124-2. Definitions
§124-2. Removal. is renumbered as §124-6. Removal.
§124-3. Storage; redemption upon payment, is renumbered as §124-7. Storage; redemption upon payment.
§124-4. Notification to Clerk and owner. §124-8. Notification.
SECTION 2. The following is hereby added to Chapter 124, Vehicles, Abandoned**,** Article I. Snow Emergencies:
§124-1. Findings; purpose.
The Town Board of the Town of Shelter Island does hereby find that there exists a threat to public safety any time that snow, freezing rain, sleet, or ice is permitted to accumulate on Town highways and roadways. The parking or abandonment of vehicles along the highways and roadways during snow and other winter-weather-related events prohibits and/or restricts the Town's ability to remediate the hazardous conditions on the highways and impedes the ability of fire, police, and ambulance vehicles and personnel to provide necessary services to Town residents. For the above reasons, the Town Board of the Town of Shelter Island finds it necessary to enact legislation prohibiting parking and standing of vehicles on Town highways and roadways in anticipation of and during major snow or winter weather events and such other restrictions related to highway safety during snow and other related winter weather events, including travel ban for non-emergency vehicles and/or temporary closure of highways/roads. Pursuant to and consistent with Executive Law §24, a snow or winter storm emergency declaration and local emergency proclamations shall be made by the Supervisor or his/her designee. Such declaration when weather conditions are forecasted or exist such that the accumulation of snow, freezing rain, sleet, or ice on any roadway will imperil the public safety, render vehicle travel potentially hazardous and necessitate snow removal operation or such other remediation efforts to address a winter storm by the Town.
SECTION 3. Chapter 124. Vehicles, Abandoned**,** Article I. Snow Emergencies, is hereby amended by adding the following:
§124-3. Declaration of snow or winter storm emergency.
A. The Town Supervisor or his or her designee shall declare a snow emergency or winter storm emergency in a signed written notice to the Town Clerk or Deputy Town Clerk. Said notice shall become effective immediately after signing and shall indicate the date and exact time of the declaration. The Chief of Police and Superintendent of Highways shall be notified immediately following a snow or winter storm emergency declaration. In addition to and during the declaration

of snow or winter storm emergency, the Supervisor or his/her designee may promulgate local emergency orders to protect life and property or bring emergency situations under control.
B. The Supervisor or his/her designee shall notify at least one local media immediately following a snow or winter storm emergency declaration and local emergency orders, and the Supervisor or his/her designee may cause same to be posted on the Town's official website and/or social media platforms.
C. The snow or winter storm emergency declaration and local emergency orders shall be in effect until such time as a snow or winter storm emergency and/or local emergency order termination has been received by the Town Clerk or Deputy Town Clerk.
§124-4. Parking prohibited during snow emergency.
No parking is permitted on either side of any roadway during a snow or winter storm emergency declaration.
§124-5. Road closure.
The declaration of a snow or winter storm or local emergency orders may designate and declare certain highways and roads closed such that vehicular travel is prohibited during the snow or winter storm emergency or for such other period of time recited in the declaration of snow or winter emergency or local emergency orders. The only vehicles allowed on the highways and roads declared closed are emergency vehicles (police and designated police tow vehicles, fire, ambulance), highway department vehicles and other essential public service vehicles.
§124-9. Snow emergency termination/rescission of local emergency order.
A. The termination of a snow or winter storm emergency and/or rescission of local emergency orders shall be declared by the Supervisor or his/her designee. Such termination or rescission shall be made at the discretion of the Supervisor when snow removal operations or such other required remediation efforts have been completed to the satisfaction of the Supervisor.
B. The Supervisor or his/her designee shall declare a snow or winter storm termination emergency or rescission of local emergency orders in a signed written notice to the Town Clerk or Deputy Town Clerk. Said notice shall become effective immediately upon receipt and shall include the date and exact time of the snow emergency termination or rescission of local emergency orders. The Chief of Police and Superintendent of Highways shall be notified immediately following a snow or winter storm emergency termination or rescission of local emergency orders.
C. The recission of a snow or winter storm emergency shall be published on the Town's web site.
D. The snow or winter storm emergency termination or rescission of local emergency orders related thereto shall nullify any provisions or conditions resulting from a snow or winter storm emergency declaration or local emergency order, as the case may be, as provided for in this article.
§124-10. Penalties for offenses; removal of vehicles in violation.
A. Any person, association, firm or corporation, owner or occupant who or which violates §§124-4 or 124-5 shall be guilty of a violation punishable by a fine of not less than $250. Each day the violation continues shall constitute a separate additional violation.
B. Any vehicle parked on any highway within the Town of Shelter Island during a snow or winter storm emergency as set forth in §124-4 shall be deemed to affect the ability of the Town to remediate hazardous roadway conditions or create a hazardous condition and/or impede or potentially impede the ability of fire, police, highway and ambulance vehicles and personnel to provide necessary services to Town residents on that portion of the public highway on which said vehicle is parked such that said vehicle may be removed by the Shelter Island Town Police or other personnel so authorized by the Town Board and all procedures set forth in §§124-6, 124-7 and 124-8, including payment of all fees related to storage and removal, shall apply to vehicles removed from the highway pursuant to this provision.
C. Any vehicle traveling on any highway or road within the Town of Shelter Island that has been declared temporarily closed pursuant to a declaration of a snow or winter storm emergency and/or local emergency order related to such snow or winter event as set forth in §124-5 be deemed to affect the ability of the Town to remediate hazardous roadway conditions or create a hazardous condition and/or impede or potentially impede the ability of fire, police, highway and ambulance vehicles and personnel to provide necessary services to Town residents on that highway or road or portion thereof on which said vehicle traveled such that said vehicle may be removed by the Shelter Island Town Police or other personnel so authorized by the Town Board and all procedures set forth in §§124-6, 124-7 and 124-8, including payment of all fees related to storage and removal, shall apply to vehicles removed from the highway pursuant to this provision.
SECTION 3. EFFECTIVE DATE. This Local Law shall become effective immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye

	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 105

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

"Whereas", AJE Realty, 13 Montclair Avenue, has petitioned the Town of Shelter Island for a wetlands permit to rebuild majority of existing single family dwelling on existing foundation; construction includes expansion of waterside covered porch within regulated area and of house landward of regulated area; new work will include swimming pool and accessory building outside of regulated 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 4:54 p. m., prevailing time, on the 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 106

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

"Whereas", the Deer & Tick Committee has received a very generous donation in the amount of $1,000.00 from Mr. Gregory James, Satisfixation LLC to support Shelter Island Deer & Tick Committee programs in 2021, and

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

BE IT RESOLVED, That the following 2021 budget revisions are hereby approved:

$1,000.00 increase to the 2021 A2705H miscellaneous donations revenue account, to be funded by said donation, and

$1,000.00 increase to the 2021 A3510.498 ACO deer reduction management expense account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 107

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

BE IT RESOLVED, That the following 2020 budget transfers are hereby approved:

$102.00 from the A3120.482 Police Department boat gas and oil account, and

$139.00 from the A3120.486 Police Department car gas and oil account to the A3120.483 Police Department telephones account;

$137.00 from the A3150.400 Jail miscellaneous account to the A3120.484 Police Department office and miscellaneous account;

$1,780.02 from the A3510.265 ACO Deer & Tick equipment, and

$2,000.00 from the A3510.422 ACO corn account to the A3510.200 ACO equipment account;

$5,726.00 from the A3510.491 ACO four poster maintenance account to the A3510.498 ACO deer reduction management account;

$750.00 from the A3510.408 ACO signs, repairs, etc. account to the A3510.200 ACO equipment account; and

$856.26 from the A3510.422 ACO corn account to the A3510.484 ACO office and miscellaneous account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 108

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That 2019 general claims numbered 2163 through 2272 in the amount of $72,203.27, 2019 Community Preservation Fund claims numbered 48 through 50 in the amount of $224.29, 2019 highway claims numbered 281 through 293 in the amount of $11,117.43, 2019 West Neck Water claims numbered 53 through 56 in the amount of $2,101.69, 2020 general claims numbered 1 through 68 in the amount of $215,115.84, 2020 highway claims numbered 1 through 5 in the amount of $114,682.78, and 2020 West Neck Water claim number 1 in the amount of $55.00 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:04 p. m., the Supervisor recessed the regular meeting and reconvened the recessed public hearing on the Anthony DiNotte stake, mooring and pulley system application.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the WMAC met on December 7, 2020 and by a vote of 4 to 0, they approved the stake, mooring and pulley application for DiNotte.

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 5:05 p. m. and reconvened the recessed public hearing on the Kasowitz mooring application.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: on the same date, by a vote of 3, 0, 1 and with the abstention, which is almost always Mike Anglin because he happens to be the installer, so he abstains himself from the vote, that's why it is 3, 0, 1, they approved the application for Kasowitz.

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 recessed public hearing on the Rolfe mooring application

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: exactly the same because Mike is the installer, they approved the mooring for Rolfe.

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 reconvened the public hearing to repeal and replace Chapter 109.

The Supervisor reported as follows: what we're gonna do here Bob, correct me if I'm wrong, is this is the site plan review, we're gonna close this hearing; we made significant enough changes or discussed significant enough changes that we'll have to bring this up at Tuesday's work session to finalize it and then set a new hearing.

The Supervisor closed the public hearing at 5:07 p. m., and reconvened the recessed public hearing on the Local Law concerning the Yard Sale Law.

The Supervisor declared the public hearing recessed at 5:07 p. m., to be reconvened at a future date at the call of the Supervisor.

At 5:07 p.m., the Supervisor reconvened the recessed public hearing on the application of Cape Horn, LLC, Alexander Jackson, for permission to install an 8,000 pound elevator style boat lift at offshore side of existing dock.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the paperwork for the Cape Horn application has not been completed and approved by the WMAC yet.

The Supervisor opened the public hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing recessed at 5:08 p. m., and reconvened the recessed public hearings on the Carroll dock and the Sapan mooring applications.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the paperwork for the Carroll dock has not been completed and approved by the WMAC yet, and the discussion for the Sapan mooring application will be held at the next WMAC meeting.

The Supervisor opened the public hearings for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared those public hearings recessed at 5:08 p. m., and reconvened the Town Board meeting.

Supervisor Siller moved and Councilman Colligan seconded to adjourn the meeting at 5:10 p. m.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

This motion was carried.

Dorothy S. Ogar
Town Clerk

January 26, 2021

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 26th day of January, 2021, via Zoom. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and six persons were also present.

The Supervisor called the special meeting to order at 1:02 p. m.

The Town Board approved a waiver of notice to hold this special meeting.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The waiver of notice was adopted.

RESOLUTION NO. 109

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

"Whereas", Peconic on Shelter, LLC, 68 Peconic Avenue, has petitioned the Town of Shelter Island for permission to perform emergency bulkhead repair at 66 Peconic Avenue to remove and dispose of 152 feet of existing bulkhead, construct 152 feet of new bulkhead, in-kind, in-place and backfill bulkhead with approximately 20 cubic yards of clean trucked-in fill, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 1:14 p. m., Councilman Colligan moved and Councilman Bebon seconded to adjourn the special meeting.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The motion was thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

February 5, 2021

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 5th day of February, 2021 via Zoom. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and thirteen persons were also present.

The Supervisor called the meeting to order at 4:31 p. m.

The Supervisor presented the following statement:

This is the February 5, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting. The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

Salute to flag.

Correspondence included the following:

1. A report concerning the Comprehensive Plan Task Force from Ed Hindin.
2. A letter from Linda Zavatto urging the Town Board to continue day passes for beaches.

Councilwoman Brach-Wilson presented and read a PROCLAMATION honoring Mr. Maurice C. Tuttle for his seventieth anniversary of being a member of the Shelter Island Fire Department. (A copy of this proclamation is attached to these minutes.)

RESOLUTION NO. 110

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

"Whereas", a vacancy exists on the Taylor's Island Preservation & Management Committee, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Linda Zavatto is hereby appointed to serve as a member of the Taylor's Island Preservation & Management Committee for a term to expire on December 13, 2023.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 111

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

"Whereas", vacancies exist on the Community Preservation Fund Advisory Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Cathy Kenny is hereby appointed to serve as a member of the Community Preservation Fund Advisory Board for a term to expire on February 2, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 112

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", vacancies exist on the Community Preservation Fund Advisory Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Tim Purtell is hereby appointed to serve as a member of the Community Preservation Fund Advisory Board for a term to expire on February 2, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 113

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", a vacancy exists on the EMS Advisory Board, and

"Whereas", Helen J. Rosenblum has expressed her interest in serving on said Board, now, Therefore

BE IT RESOLVED, That Helen J. Rosenblum is hereby appointed to serve as a member of the EMS Advisory Board for a term to expire on December 31, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 114

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

"Whereas", the term of Mrs. Kathleen Gerard as a member of the Community Preservation Fund Advisory Board expired on February 2, 2021, and

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

BE IT RESOLVED, That Kathleen Gerard is hereby reappointed to serve as a member of the Community Preservation Fund Advisory Board for a term to expire on February 2, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 115

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

"Whereas", the term of Kevin Sanwald as a member of the Taylor's Island Preservation and Management Committee expired on January 17, 2021, and

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

BE IT RESOLVED, That Kevin Sanwald 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, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 116

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

"Whereas", the term of Michael A. Gulluscio as a member of the Ferry Study Group expired on January 29, 2020, and

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

BE IT RESOLVED, That Michael A. Gulluscio is hereby reappointed to serve as a member of the Ferry Study Group for a term to expire on January 29, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 117

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Brett Poleshuk is hereby appointed to serve as part time Building Inspector for the year 2021 for fifteen hours per week at the rate of $25.00 per hour, retroactive to January 11, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 118

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas"', a vacancy exists on the Water Quality Improvement Advisory Board, now, Therefore

BE IT RESOLVED, That Albert Brayson is hereby appointed to serve as a member of said Water Quality Improvement Advisory Board for a term to expire on February 2, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 119

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

"Whereas", the Town Board of the Town of Shelter Island is desirous to develop and implement an Employee Handbook detailing the various personnel policies and procedures, employee benefits, compliance policies, and other pertinent information governing employment related matters, and

"Whereas", the Town Board has retained Public Section HR Consultants LLC to assist with the development of the Town's Employee Handbook, and

"Whereas", The Town Board reviewed and approved the draft of said Employee Handbook on January 15, 2021, and

"Whereas" said Employee Handbook was subsequently reviewed by representatives of the Police Benevolent Association and Highway Benevolent Association who raised no objections, now, Therefore

BE IT RESOLVED, This 5th day of February, 2021, that the attached document be adopted as the official Employee Handbook of the Town of Shelter Island, and

BE IT FURTHER RESOLVED, That the Shelter Island Town Employee Handbook shall be distributed, with signed acknowledgment, to all Town officials and employees.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 120

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 funds received from the Shelter Island Ambulance Foundation, Inc. in the amount of $65,000.00 to the Ambulance Equipment Capital Reserve Fund.

Roll Call Vote:	Councilwoman Brach-Williams	aye

	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 121

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $5,000.00 from the 2021 A1620.476 computer services account to East End Computers, 26 Hill Street #265, Southampton, New York 11968, for the EEC off-site backup annual subscription for the EEC file and folder backup for the period January 1, 2021 through December 31, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 122

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $5,760.00 from the 2021 A1620.476 computer services account to East End Computers, 26 Hill Street #265, Southampton, New York 11968, for the EEC backup monitoring service for disaster recovery for the period January 1, 2021 through December 31, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 123

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", the Shelter Island Yacht Club, 12 Chequit Avenue, has petitioned the Town of Shelter Island for permission to maintenance dredge designated areas within the marina to -6' mean low water, placing resultant 125 cubic yards of dredged material at an approved upland location, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 124

Councilman Dickson 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 $504.68 from the 2021 A3120.491 Police Department service contracts account to Carr Business Systems, P. O. Box 936715, Atlanta, Georgia 31193-6715 for the annual maintenance

contract for the period January 24, 2021 through January 23, 2022, for the copy machine in the Police Department.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 125

Councilwoman Brach-Williams 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 does hereby abolish one position of Food Service Worker in our Town.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 126

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

"Whereas", COVID 19 has caused general difficulties with regard to the processing of all applications, and

"Whereas", The Town of Shelter Island is currently reorganizing the department that oversees rental permits, now, Therefore

BE IT RESOLVED, That all rental permits set to expire between the dates of September 1, 2020 and March 31, 2021 are hereby extended through and including that March 31, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 127

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $330.00 from the 2021 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 2-1-2021 through 2-1-2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 128

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Chip Koehler has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 11 H Blueberry Lane, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $6,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $6,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 129

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

"Whereas", effective January 1, 2021, Albrecht, Viggiano, Zureck & Co., P.C. ("AVZ") have combined with PKF O'Connor Davies, LLP ("PKFOD") to enhance the services that AVZ presently provides to the Town of Shelter Island, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the combined agreement between AVZ and PKFOD as per the agreement provided.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 130

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

"Whereas", the Town of Shelter Island (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

"Whereas", the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

"Whereas", we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

"Whereas", we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

"Whereas", we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

1) Build a climate-smart community.
2) Inventory emissions, set goals, and plan for climate action.
3) Decrease energy use.
4) Shift to clean, renewable energy.
5) Use climate-smart materials management.
6) Implement climate-smart land use.
7) Enhance community resilience to climate change.
8) Support a green innovation economy.
9) Inform and inspire the public.

10) Engage in an evolving process of climate action.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 131

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $850.00 from the 2021 A1330.476 Receiver of Taxes software account to Edmunds GovTech, Inc., 661 Plank Road, Clifton Park, NY 12065 for the annual software support, maintenance fee for the period February 1, 2021 through January 31, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 132

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", the President of the United States of America issued an Executive Order number 13998 requiring that all persons on mass transportation, including passenger ferries, wear facial coverings; and

"Whereas", the measures to be taken are left to the individual companies "depending on the circumstances"; and

"Whereas", unlike other ferry companies, all vehicle occupants on North and South Ferry Companies remain in their vehicles during the short-duration voyage; and

"Whereas", the North and South Ferry Companies, in cooperation with the Town of Shelter Island, have already instituted safety measures including:

- Requiring all crew members to wear facial coverings while on deck; and
- Requiring all foot passengers to wear facial coverings at all times;
- Requiring all vehicle occupants to remain in their vehicle for the duration of the voyage and wear facial coverings when interacting with anyone outside the vehicle or if exiting the vehicle for any reason; and
- Posting signage advising passengers of these restrictions; now, Therefore

BE IT RESOLVED, That the Town of Shelter Island is satisfied that the measures taken by the North and South Ferry Companies satisfy or exceed the requirements of the Presidential Executive Order.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 133

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", the Board of Assessors has requested a reallocation of duties of the Assessors and office administrators in the Assessors office, now, Therefore

BE IT RESOLVED, That the sum of $18,000.00 is hereby transferred from the 2021 A1355.100 Tax Administrator salary account and dispersed as follows:
$9,000.00 to a new 2021 A1355.101 account entitled Assessor's Office administration account, and

$9,000.00 to a new 2021 A1355.102 account entitled Assessor's Office administration account, and

BE IT FURTHER RESOLVED, That said reallocations shall be retroactive to January 1, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 134

Councilman Dickson 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 $48,147.00 from the A9025.800 LOSAP account to Glens Falls National Bank and Trust Company, c/o Penflex Actuarial Services, LLC, 50 Century Hill Drive, Suite 3, Latham, New York 12110 for the 2019 audit of the Penflex Service Award Program for the EMS Department.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 135

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

"Whereas", Peter Levenson, 23 Winthrop Road, has petitioned the Town of Shelter Island for a wetlands permit to construct a small retaining wall 2'-0" high by plus or minus 60' long; the top of proposed wall will align with top of existing grade, wall to be located 39' 8" south of the existing bulkhead and set back 37' from west property line and 17' from east property line, 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 5th day of March, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 136

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

"Whereas", Peconic On Shelter, LLC, c/o Gary Sher, 68 Peconic Avenue, has petitioned the Town of Shelter Island for permission to construct a 4' by 125' fixed dock with a 4' by 30' "L" section, install one 2-pile tie-off dolphin, provide for water and electrical service to offshore end of dock, and construct access stairway from bulkhead on to dock and to beach, 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 5th day of March, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye

	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 137

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Anthony DiNotte, 3 Mimosa Place, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in the Harbor View Acres Cove of West Neck Bay at a location designated as latitude 41.06287° north and longitude 72.36662° west; said stake, mooring and pulley location was formerly occupied by the W-1873 Lucas stake, mooring and pulley system, and

"Whereas", a public hearing was duly held on the 4th day of December, 2020, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 138

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Sheldon Kasowitz and Kathryn Huarte, 31 Westmoreland Drive, have petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek approximately 125 feet north of the Hines W-1722 mooring; said location is designated as latitude 41.05687° north and longitude 72.35765° west and was formerly occupied by the W-2747 Vapnek mooring, and

"Whereas", a public hearing was duly held on the 4th day of December, 2020, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 139

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

"Whereas", David Rolfe, 3 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor off Oak Road; said mooring location was formerly occupied by the C-1855 Hagoort mooring and is approximately 120 feet off the Hershey C-3048 mooring, and

"Whereas", a public hearing was duly held on the 4th day of December, 2020, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 140

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

BE IT RESOLVED, That the following 2020 budget transfers are hereby approved:
$2,045.00 from the A3120.200 Police Department equipment account to the A3120.400 Police Department maintenance account;
$106.00 from the A3120.400 Police Department maintenance account to the A3120.484 Police Department office and miscellaneous account; and
$342.99 from the A3510.422 Animal Control corn account to the A3510.484 Animal Control office and miscellaneous account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 141

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

BE IT RESOLVED, That 2020 general claims numbered 2143 through 2198 in the amount of $80,324.92, 2020 highway claims numbered 276 through 290 in the amount of $29,903.25, 2021 general claims numbered 25 through 92 in the amount of $45,134.15, 2021 Community Preservation Fund claim number 1 in the amount of $11.30, 2021 highway claims numbered 4 through 6 in the amount of $3,239.44, and 2021 West Neck Water claim number 1 in the amount of $55.00 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Jeanne McCulloch, 5 North Menantic Road, for permission to install a mooring in West Neck Creek approximately 138 feet west of applicant's dock; said mooring was formerly occupied by the W-1238 Cumming mooring and is located at latitude 41.064003° north and longitude 72.354934° west.

The Town 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 met on December 7th and by a vote of three, zero, one, they approved this takeover mooring,

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 5:04 p. m. and called to order the public hearing to be held as advertised on the application of Miles Wilson, 57F Strobel Road, for permission to install a mooring in West Neck Bay off Cackle Hill Town landing, approximately 105 feet east of the Shea mooring W-2740 and further designated as latitude 41.06566° north and longitude 72.36401° west.

The Town 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: so we're gonna recess that hearing until the Waterways Management meets; it will be taken up Monday night.

The Supervisor declared the public hearing recessed at 5:05 p. m. and called to order the public hearing to be held as advertised on the application of Bradley Coppens, 32 Little Ram Island Drive, for permission to install a mooring in Coecles Harbor, approximately 186 feet south of the Relyea mooring C-3560 and further designated as latitude 41.07969° north and longitude 72.30136° west; said mooring location was formerly occupied by the Trynin mooring.

The Town 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: again, we'll be meeting Monday night at 6:00 p. m. and that mooring application will be heard.

The Supervisor declared the public hearing recessed at 5:06 p. m. and called to order the public hearing to be held as advertised on the application of Alice Klaris, 18 Westmoreland Drive, for a wetlands permit to remove existing single family residence and cesspools from regulated area; existing house to be relocated on new foundation outside of regulated area, and new IA OWTS with pressurized shallow drainfield to be installed outside of regulated area.

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

Councilman Colligan reported that the CAC met January 11th and at that meeting they voted by a vote of six to zero, they approved it, calling it the ideal situation and that it made it very easy to make a decision on this application, and if all applications were like this one, so the CAC stated this was an ideal situation and thanked the applicant for the application.

Councilman Bebon presented the report of the Planning Board, which was as follows: The applicant has obtained a DEC permit and the Suffolk County Department of Health permit to install a new IA system, the Planning Board members visited the site, the house sits twenty-two feet from water and is low-lying and is vulnerable, bulkheads appear to be in good condition, since the whole property slopes downward, it is in conjunction with the adjoining property so it __ the Planning Board is hoping that a system of runoff measures can be put in place before any construction or demolition permission is granted, their conclusion is that moving the house out of the regulated area into compliance with Town Code, the permit will remove two cesspools from the tidal wetlands and replace them with a nitrogen reducing IA system, 260 feet from the wetlands, the applicant is also offering and will locate wire backed silt fencing, stormwater recharging drywells and a fifteen foot non-turf vegetative buffer along the bulkhead as additional mitigation, for these reasons, the Planning Board believes the project is a win, win and is in support of the application.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Matt Sherman, let me chime in here real quickly, I thank you very much, Matt Sherman, Sherman Engineering, here with Alice Klaris, the property owner, and the CAC and the Planning Board both said that this is a pretty straight forward application, the existing house is right on the bulkhead, existing septic is right next to the house, I'm gonna share my screen real quick so you can see the driving force, it's a scenic view, is everyone able to see the shared screen; go ahead; you'll see the driving force on this application, this photo was taken shortly after a storm so you can see basically what Mrs. Klaris is up against, you can actually see along the backside, you can see where the water is coming up and pouring up and over the bulkhead, so basically this whole plan is just picking this exact house up, moving it landward just about where the picture was being taken from, getting away from the bulkhead, getting away from the septic, getting everything out of that area as well, just one quick clarification to one of the comments that we were up a fifteen foot non-turf buffer along the bulkhead, that fifteen foot non-turf buffer, there's an area just to the west of the bulkhead that actually is not bulkheaded, that's the area that we're looking to put that non-turf buffer, where it's gonna do some good so the area that's in front of the building along the bulkhead, we'd like to leave as turf grass or fescue grass and then that area that's not bulkheaded would have the vegetation, this project as we also said, we're putting in an IA septic system with a pressurized shallow drain field that's all the way up on the most landward portion of the property so it's actually gonna be pumping that septic up to that pressurized drain field, getting it as far away from West Neck as we can, all in all it's a pretty straight forward ideal project from an advantage point; thanks Matt.

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 application of Randy Meech, 7 Little Ram Island

Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.076469° north and longitude 72.308029° west; said mooring location was formerly occupied by the C-895 Compton mooring.

The Town 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: this is on for Monday night, it was supposed to be last Monday but it will be this Monday.

The Supervisor declared the public hearing recessed at 5:12 p. m. and called to order the public hearing to be held as advertised on a proposed local Law entitled BOATS ON TOWN PROPERTY.

The Town 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: this is ___, I'd like to speak; hi, so I have a few questions with the law as drafted, I think there are some provisions that are very vague and it would be nice to leave here with some of the intentions that were behind this, I know obviously this gives discretion to the Board __, the Bay Constables, to allocate space, there's been some reporting on the prior discussion to this in the Reporter that says there will be fees for boats that are small, medium and large, does not define what small, medium or large boat is though so no one that is affected really knows exactly what it is they will be paying, there's been discussion about whether there would be a limitation on the number of stickers sold to any particular household but I do not see that in the law, I would think people would want to know about that, what has been discussed, it's my understanding otherwise that is really only affecting from a practical standpoint, there's a couple around the Island that are more popular than others that were crowded in 2020 that have been the inspiration behind this but the law of course affects all Town landings and it would be nice to have some more specificity here where maybe for Wade's Beach, a couple of landings where there's truly an issue that can be dealt with but there are plenty of landings that are almost vacant and it seems like there's a pretty steep cost increase for all the landings; the intent was to make it even handed across the board whether it's Wade's Beach or any other Town landing, it's not the public's right to just you know, drop your boat anywhere, we feel that it's the Town's right to set a fee for it, quite honestly we're looking for ways to increase our revenues and this is one of them, we also are looking for ways to improve the way boats are stored at certain areas to get them off some parts of the wetlands that they shouldn't be on, to get them a little more uniform to not take up so much of the beach, there is a fee set, there is a structure set, they are defined on the sizes of the boats and where they are, I would assume Dottie they would be in the actual permit process as opposed to the law itself, does anybody else want to say anything; the fees and the boat size will be determined by resolution and it's done that way because if it's in the law, then it takes longer for us to change whereas each year we can evaluate feedback and what not and decide whether or not the sizes were a proper match and what the fees that were, it would just give us a little more flexibility in changing things; and with that part of it, it would be good feedback as to what the initial fee and size restrictions were, if there is any draft of that; basically we set the fees, seventy-five dollars for a kayak or small boat, one hundred dollars for a medium size boat which would be a sunfish type boat and I think it was a hundred and fifty dollars for like a catamaran size boat; just one other thing Gerry, this fellow from what Amber said, when we do set the fees and the location of the numbers used, that's got to be done by resolution, cause that will be done at a public meeting as well; right; we'll have the opportunity to do that; right; just a couple of comments, we started to see trending, one of the trends that we started to see was larger and larger and larger boats being brought up on beach areas and that was a concern so we tried to, when these boats get too big to be stored, why aren't they stored in a marina or some place so I think the fact that we limited it to eighteen feet and no wider than eight feet, I think that's important, the second thing was the law has always been around for the last two years about them having to have the sticker to identify that because literally sometimes what the trend was, was that people were justly leaving them there for three hundred and sixty five days and leaving it right there all winter and when we, the Town came in to clean up those properties in the wintertime, there were lots, dozens and dozens of watercraft still left at Town landings so you know, after two or three years of doing this and getting stickers on kayaks and small boats and small watercrafts, the people, the owners have gotten so much better and more responsible in terms of taking those boats off by no later than November thirtieth, so that's a very positive thing, the other thing is when we have a storm, sometimes, if we didn't have

this, boats just get pulled out and that can happen by the way, in a hurricane in August and September or October, the one advantage of having every vessel with a sticker is to be able to identify whose boat that one was, for the Police Department it became a safety issue cause if we found a boat overturned in the water, we would know who owned it and we could quickly find out whether anybody was in it or did this just break loose from some area in the Town landing, so there was, this movement has been going on a little bit at a time, the other thing is that more and more people are on the Island for greater lengths of time, it became a little bit of an issue for people like the CAC, you know, where people started bringing kayaks up on top of dunes and doing damage to beach grasses so I think the Town felt that and in the parking lot as well, we needed to get a little bit of a handle on where we store them, what types of boats we stored in different areas and to protect the environment, you noticed down at Wade's Beach we put up a fence just to keep the watercraft away from the dunes and protect the wetlands that lie behind there so there's been a little bit of a method to the madness __ and with the increased number of kayaking, we actually felt if we went to some type of a, you know, some type of a; racks, racks, thank you, we could actually store more kayaks in lesser space and the other thing is we were thinking about putting __ on them, we had a couple of kayaks that were taken last year, were stolen actually, down at Wade's Beach, this would afford the boat owner an opportunity to be able to secure their watercraft by looking at the lock on it, so that is just some of the rationale of why we decided to do what we did and in order to support that initiative, we felt that charging a small fee for small, medium and large, Amber do you happen to have; yeah I withdrew that, Amber is correcting me, fifty, seventy-five and a hundred and fifty; correct, so initially those were considerably higher and the Town Board was looking for some feedback from the community, and decided we needed to bring that down, some people said well why couldn't we do that incrementally, we wouldn't want to be changing the fees literally every year so we thought this was a fair way of doing it and that's some of the rationale, I hope that explains some of it; I appreciate that, I understand the Town's desire to regulate storage, I'm not questioning that or the charging of a fee, I guess two things, one, I know there is a rack now at Wade's Beach, hopefully there will be more, I think there's been some conversation about that, I thought that was a very positive step, I guess I would like to see maybe a little __ boats on racks __ we won't have the __ for that, we obviously won't have the proximity to the water that we had but maybe __, the other is that this query is the opportunity to increase revenue, I would hope that there would not be a limitation on the number of stickers per household and we're fortunate to have the two kayaks and the sunfish, if there's truly a limit of two per household then we're out of luck, maybe it could be restricted maybe by landing per household but I just know there is not gonna be some nuance on this and I do appreciate the background on the classification of boat size, I'm active in the Menantic Yacht Club and there are a lot of members that are anxious to see whether a sunfish was small, medium or large, thank you; Peter thanks for having, the only discussion we've had so far was the number at each landing, we really didn't talk about you know how many each person can have so that's a good point that I hadn't thought about; I would not be in favor of limiting that number; I understand; thank you; Peter do you store your boats down at North Silver Beach; right now we're at Wade's Beach, we used to be at South Silver Beach when we rented in that neighborhood; okay, alright, I thought, that's that; Menantic; the majority of the Menantic members are at North Silver Beach, some are at South Silver Beach, some are at Wade's, some are at personal residences; okay; we don't require anyone to be on the __; we're gonna try to work with you on that because there's probably something, like Sunday afternoon at four o'clock and there were a lot of residents that live in Silver Beach that enjoy going down there and watching the races, that came up with the initial discussion this week and maybe it was Tuesday's meeting, and maybe it was about parking issues down there, maybe it was Monday or Tuesday morning __; an accident; __ kind of feedback we really appreciate because we need to be sensitive to some of that; I'd be happy to work with the Board and the community to make sure everything works for residents down there and there are some members of the club who have multiple boats that they make available to guests or newcomers for the fleet and others in the community so I just want to make sure we keep all out of the __ it's obviously a lot of work if we want to keep the Island happy.

The Supervisor declared the public hearing closed at 5:25 p. m. and called to order the public hearing to be held as advertised on a proposed Local Law entitled ABANDONED VEHICLES.

The Supervisor requested the Town Attorney to give a synopsis of the proposed two page Local Law which was as follows: this essentially is a short cut that we're dealing with snow emergencies, we're dealing with snow emergencies as much as we deal with the same type of ___ and this is to allow the Police Department and Highway Department basically to have a way to deal

with a snow emergency and to close road if they need to plow them and to move any cars that might be parked along the side, so they really could deal with the plowing, it's really just a, rather than having to go through the entire process __ we can do it that way as well but this is just to make sure we can plow in a snow storm and something like that so we don't have to deal with issues.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: so Dot this Local Law will take effect immediately upon filing with the Secretary of State.

The Supervisor declared the public hearing closed at 5:27 p. m. and called to order the public hearing to be held as advertised on the application of AJE Realty, 13 Montclair Avenue, for a wetlands permit to rebuild majority of existing single family dwelling on existing foundation; construction includes expansion of waterside covered porch within regulated area and of house landward of regulated area; new work will include swimming pool and accessory building outside of regulated area.

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

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

Councilman Colligan presented the following Conservation Advisory Council report: the location is 13 Montclair, by a vote of four to one, they approved the application, there was some discussion on it but there weren't any major problems, they were using the existing foundation and the garage stays; exactly; __; building up from there; okay, Wallace is okay.

Councilman Bebon presented the following Planning Board report: so the Planning Board visited the place, the applicant's proposing to reconstruct the new house on the existing foundation with an expansion, the footprint remains in the adjacent regulated area, the existing structure is eighty-five feet from the wetlands boundary which is eighty-three feet and the proposed porch and steps will be eighty-one feet from the boundary and the applicant is also proposing to construct a swimming pool and accessory building outside the wetlands area, they have a DEC letter of non-jurisdiction, and the Planning Board notes that this area of Shelter Island suffers from an unusually distressed water situation, several nearby houses have suffered infiltration to the extent that they no longer have potable water, it's also difficult in this area to get the normal required well septic separation due to the small lot sizes in the development so the Planning Board is suggesting given the challenges to the freshwater situation in this area that the following additional remediation measures be required for granting of the wetlands permit:
1. installation of a low volume pump five gallons per minute in the existing well coupled with a three hundred gallon holding tank to reduce the amount of water at any time to limit the amount of water on the already compromised water table;
2. installation of an eight hundred gallon cistern or other size related to water tanker capacity and the ability to share delivery with other customers to manage the addition of water to the proposed pool. Note: this could be used for water to the dock as well and for water used to establish new plantings, so as to lessen impact on well water;
3. requirement that the proposed pool be served by a salt-cell chlorinator and a cartridge filter, the latter would eliminate the need for weekly backwashing of the filter which uses up to 200 or 300 gallons of water each time; and with these considerations, the Planning Board is in support of this wetlands permit.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Matt, do you want to say anything; yes thanks, I'm Matt Sherman of Sherman Engineering, I'm here, Joe Wallace is here as well, I've got a little quick power point to run through, this is a pretty simple application as well, not quite as simple as Klaris which is taking everything out of the wetlands area, the regulated area, so when you boil this thing down to what we're actually here for, there's really not a lot going on, what I'm gonna do, I'm gonna share my screen real quick, Kristina give me a thumbs up, okay, this property, on West Neck Harbor, Montclair and it's a small piece of property, a little bit larger than most of the properties around it but that whole area is relatively small properties, this is the existing survey, he's got West Neck Harbor to the south with a bulkhead, Montclair Avenue to the north and then the house is about midline of the property north and south and it's two separate lots as they were originally __ so it's

a little bit to the left, west of the center line, this is just a different version of that survey, with the setbacks, we've got seventy-five foot wetlands setback with __ the house, hundred foot wetlands setback just kind of clips the corner of the house and includes the covered porch, right now there is four hundred and thirty-six square feet of house and covered porch within the regulated area and as the Planning Board memo stated, eighty-three feet and eighty-five feet from the wetlands boundary which is seaward of the bulkhead to the existing steps and the existing covered porch, this past summer the septic system which was an old block system which was on the west side of the house failed, we had to do an emergency repair, it was done through the Health Department, it was approved by the Health Department so what we ended up doing was putting in an IA nitrogen reducing septic system and a pressurized __ drain field, this is the ideal septic system for this kind of location, we've also got the supply well all the way up to Montclair Avenue, what we're proposing is basically the footprint of the house stays the same, we got some slight modifications and increases to that that are outside of the regulated area so they are not part of the wetlands application, same thing as the swimming pool, same thing as the accessory building, those are outside of the regulated area, the porch that is actually part of the wetlands application is the covered porch and part of the building which is seven hundred and forty-four square feet within the regulated area and our separation distance still outside of that seventy-five foot setback at just eighty-two feet and eighty-four feet, the groundwater in this area has an elevation of about half a foot to a foot, we actually have a couple of doors down and we're doing a study and I did some groundwater modeling or monitoring to see what kind of depth and what kind of groundwater fluctuation we've got in this area and it fluctuates by tide and by moon phase by about a foot and a half or so, two feet high tide is the lowest lows is what we're seeing so the highest expected groundwater in this area for the purposes of our design for the house and the pool, we're looking at about a foot and a half which gives us a little bit of wiggle room, this is the proposed site plan with stormwater, we've got four stormwater drywells proposed picking up stormwater off different points of the house and then a fifth one picking up stormwater from the proposed accessory building, we've also got the two proposed drywells, two of those stormwater drywells are within the wetlands regulated area, it just doesn't get them any further away, it still keeps them away from the septic system and the supply well and other things that we have to keep clear of, erosion control, we're gonna wrap the construction area with silt fence, wire backed silt fence as a version of erosion control, this is the house we're proposing to build, it's a little bit larger than the existing but all within Zoning Code and height and setback and bulkheads and the environment requirements and all of those things, footprint, we just have to add to let you know what the deck is gonna do, on the first floor, typical kitchen, dining room, living room, office or study and the garage, the covered porch on the waterside, second floor, we've got four bedrooms and a laundry and a couple of bathrooms, this is the accessory building, it's like a one and a half story you could call it but it's just one, it's an open area and just open storage, no plumbing, no heat, no a/c, no nothing like that, the swimming pool which again is outside of the regulated area, we are proposing an automatic cover, the swimming pool with highest expected groundwater for design, we've got one foot eight inches __ little, we're gonna keep the bottom of the pool __ two feet off of highest groundwater, and this is, when you dial it all down what the wetlands permit, is actually for, is for three hundred square feet of covered porch addition, the Town Code says that with bulkheaded property, we can reconstruct or add onto the existing house, as long as we're not extending the footprint of that house at all within the regulated area, so we don't need a wetlands permit for that for the house work but what we do need a wetlands permit for is the expansion of the covered porch so that's what this is all about basically is this three hundred square foot expansion of covered porch and these are a couple of photographs of the site, if you've been out to the site or familiar with the site, just to get a feel for what's there now, that's the existing house, looking at it from the side so the water would be to the left, the road would be to the right, this is the front yard looking out toward the dock and towards West Neck and then again looking down the bulkhead so in essence that's my presentation as far as telling you what the project is all about and how it's gonna impact the property, if you've got any questions for me or for Joe who is on the line with me as well, we can answer any questions you guys might have; any questions from the Town Board; I just have one, what's the __ porch, is it gonna be like enclosed conditioned space; no, a true covered porch just like what's there now; how old is the house, the existing house; that's a good question, Joe, when was this house built and you're on mute; the Planning Board said 1957; 1957, now I can look it up; you're on mute but you can talk into it; Matt; I saw __; yeah I thought it was 1960 but I guess it's a bit older than that; 1960, mid fifties, that's a fair estimate; the Planning Board said 1957; okay; it made me feel all warm and fuzzy that you had a structural engineer look at the foundation; we had the architect look at it and the builder looked at it, on a property like this, if we're doing more than fifty percent of a demo and rebuild, we've got to treat it if we're taking everything out, one hundred percent so for the purposes of permitting and the wetlands permit and the other permits, we're assuming it's all going

away, for the purposes of practicality of the project, we're gonna try and keep as much of the foundation as possible, all of the foundation if possible, the significant cost and scope ran us into doing that, one of the things that, this project has gone through several different phases before it got here and actually we were tied up in the Health Department for a little over a year, initially we were looking for a significant rebuild of this, an expansion of this building, we were gonna do twenty square foot to what we are proposing now and we were gonna add bedrooms, we were gonna add, the accessory building was gonna have plumbing in it and the whole building was gonna shift closer to the middle of the property, we applied to the Health Department for that and we had our variance hearing for that application in March of 2019, in March of 2020 when we hadn't gotten a response and we could not get any type of feedback from them, we pulled the application, so I said forget it, we're just gonna fix up the house as it currently exists, do it in a way that it does not need Health Department approval but not adding any bedrooms, not adding any expansion that would otherwise cause a Health Department requirement and so we were gonna just move forward just fixing up the house, kind of the project like you have in front of you now in the meantime, the septic failed so we had to come in and we had to put in a septic between the house and the property line and still occurred on the left of the project that would otherwise triggered a Health Department approval, so in a long way, not to answer your question but to answer a different one, that basically is how this is being developed or proposed the way it is now but the existing foundation, it has been evaluated, I didn't have it evaluated, we had another ___ evaluate it, but this _____ the architect is a very capable architect and with James Eklund who is a very capable contractor, they both looked at it and feel that it's a sufficient foundation for the proposed construction; could you speak to what is the Planning Board's recommendation; yeah, I don't see any problem with that, this area is very fragile, we know a couple of houses down, they don't have public water to some fault of their own, properties in this area even though they are not very far away, do have decent water even though there's not a lot of it, so having the, having the low flow well and a large tank, that's not unreasonable by any means, we've got to look at the idea of the cistern for topping off the pool and for other uses, I'm not sure from a site design standpoint, from a __ standpoint, what the impact of that would be so I'd like to have a chance to look at that and get back to you guys to see if that's a reasonable, if everything will work reasonably into the project, the idea of sharing it with other property owners, to me that sounds like it's a little dangerous you know both for the Wallaces and for anybody else who might be sharing it with them and as for the salt-cell and the cartridge pool filters, that's what we're proposing anyway, so that's a no brainer; the comment that the Planning Board made with respect to sharing the delivery was just for the ability to share a tank of water coming onto the Island, they take a portion and someone else; okay; and I wasn't quite sure if they were talking about putting a cistern here and then sending water other places or to send _, that makes sense, that's good; any other comments; I just have a question; sure; this low flow pump thing, is that gonna affect my water pressure, what is the deal with that; we can go into further details off line but it seems to me, the minimum size well you're allowed to put on a residential property is five gallons per minute and it goes into a pressure tank and the pressure tank is really what gives your house the pressure so what you have is a three hundred gallon tank between the low flow well and a pressure tank so that you're taking water off the aquifer in very low volume spread out manner rather than taking quick gulps off of the aquifer; I don't have that now, it's a new well I have; and I don't know what kind, we have to look and see what the well pump is, we might have to put a resister on that to get it down to five gallons a minute, that's not a big deal; alright; anybody else, okay we're gonna close that hearing; thank you; thank you very much.

The Supervisor declared the public hearing closed at 5:45 p. m. and discussed the reconvening of the recessed public hearing on the application of Cape Horn, LLC, c/o Alexander Jackson, 4 Nicoll Road, for permission to install an 8,000 pound elevator style boat lift at offshore side of existing dock.

The Waterways Committee of the Town Board, reported as follows: the Cape Horn and Carroll dock, I have emaileld, I have called Costello Marine, I have reminded them, I had a conversation with Mr. Costello on Monday trying to get the necessary paperwork done, I've checked in Dottie's office, the paperwork has not been there so I don't know if I'm real confident that this is gonna; so rather than reconvene, we're gonna close that hearing Dot; okay; let's wait until Monday night to see if they show up, I would wait til Monday and then Tuesday if their support is not there; then we're recessing it for another meeting; I thought I, to be honest, I thought at last meeting we closed these, my vote is to close them; they'll have to reapply then; yes; okay, so we're gonna close that hearing.

The Supervisor declared the public hearing closed at 5:45 p. m. and reconvened the recessed public hearing on the application of 58 Tuthill Drive SI, LLC, c/o Brian Carroll, 58 Tuthill Drive, for permission to construct new 5' by 110' dock, install one ladder and two 10" diameter mooring piling, construct a three foot wide crossover stairs for pedestrian access, and repair existing offshore platform/dock as needed in Shanty Bay of Coecles Harbor.

The Supervisor stated that we're gonna close that one also.

The Supervisor declared the public hearing closed at 5:46 p. m. and reconvened the recessed public hearing on the application of Allie's Fault (Josh Sapan & Ann Foley) 22 Prospect Avenue, for permission to install a mooring in Shelter Island Sound 85' northwest of applicants' property at a location designated as latitude 41.083768° north and longitude 72.361457° west.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: that is going to Monday night, it is on the agenda.

The Supervisor declared the public hearing recessed at 5:46 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 142

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

"Whereas", Jeanne McCulloch, 5 North Menantic Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek approximately 138 feet west of applicant's dock; said mooring was formerly occupied by the W-1238 Cumming mooring and is located at latitude 41.064003° north and longitude 72.354934° west, and

"Whereas", a public hearing was duly held on the 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 143

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", a public hearing was duly held on the 5th day of February, 2021, for all interested persons to be heard in favor or in opposition to a proposed local Law entitled BOATS ON TOWN PROPERTY, now, Therefore

BE IT RESOLVED, That the Town Board does hereby adopt Local Law No. 1 - 2021 entitled BOATS ON TOWN PROPERTY, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, to wit:

SECTION 1. Repeal Section 40-5, Section C entitled Boats on Town Property and replace same with the following Section 40-5 of the Town Code, as follows:

40-5.1 – Storage of Boats on Town Property

A. Any Shelter Island resident may utilize and/or store a non-powered boat in designated storage areas on Town property between April 1 and November 30 of each calendar year provided that:

1. The boat is not longer that eighteen (18) feet and not wider that eight (8) feet.
2. The boat is firmly anchored or secured.
3. The boat display current registration numbers, if applicable; and
4. The boat properly displays a valid Boat Storage on Town Property permit sticker;

B. The Town shall issue a Boat Storage on Town Property sticker on a space available basis to any resident of the Town of Shelter Island.

C. Fees for registration based upon the size of the boat shall be determined by Town Board resolution.

D. The license shall be valid for a single calendar year.

E. By resolution, the Town Board shall determine the total number of permits that may be issued Island wide or at any particular location.
F. The Bay Constable shall determine the number of boats that may be stored in any designated storage area.
G. Boat trailers shall not be parked on Town property for more than 24 consecutive hours and shall not block access to any ramp or other public access to the water.
H. Any boat or trailer left on Town property between December 1 and March 31 of any year or that does not otherwise comply with the provisions of this section may be removed and impounded by the Town without prior notice. Ownership of boats unclaimed after such period shall vest in the Town, which may sell the property at public auction to recover removal and storage costs.
SECTION 2. This Local Law shall take effect immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 144

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", a public hearing was held on the 5th day of February, 2021 for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled ABANDONED VEHICLES, now, Therefore

BE IT RESOLVED, That the Town Board does hereby adopt Local Law No. 2 - 2021 entitled ABANDONED VEHICLES, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, to wit:
SECTION 1. Chapter 124. Vehicles, Abandoned**,** Article I. Snow Emergencies is hereby amended as follows:
§124-1. Definitions is renumbered as §124-2. Definitions
§124-2. Removal. is renumbered as §124-6. Removal.
§124-3. Storage; redemption upon payment. is renumbered as §124- 7. Storage; redemption upon payment.
§124-4. Notification to Clerk and owner. §124-8. Notification.
SECTION 2. The following is hereby added to Chapter 124. Vehicles, Abandoned**,** Article I. Snow Emergencies:
§124-1. Findings; purpose.
The Town Board of the Town of Shelter Island does hereby find that there exists a threat to public safety any time that snow, freezing rain, sleet, or ice is permitted to accumulate on Town highways and roadways. The parking or abandonment of vehicles along the highways and roadways during snow and other winter-weather-related events prohibits and/or restricts the Town's ability to remediate the hazardous conditions on the highways and impedes the ability of fire, police, and ambulance vehicles and personnel to provide necessary services to Town residents. For the above reasons, the Town Board of the Town of Shelter Island finds it necessary to enact legislation prohibiting parking and standing of vehicles on Town highways and roadways in anticipation of and during major snow or winter weather events and such other restrictions related to highway safety during snow and other related winter weather events, including travel ban for non-emergency vehicles and/or temporary closure of highways/roads. Pursuant to and consistent with Executive Law §24, a snow or winter storm emergency declaration and local emergency proclamations shall be made by the Supervisor or his/her designee. Such declaration when weather conditions are forecasted or exist such that the accumulation of snow, freezing rain, sleet, or ice on any roadway will imperil the public safety, render vehicle travel potentially hazardous and necessitate snow removal operation or such other remediation efforts to address a winter storm by the Town.
SECTION 3. That Chapter 124. Vehicles, Abandoned**,** Article I. Snow Emergencies is hereby amended by adding the following:
§124-3. Declaration of snow or winter storm emergency.
A**.** The Town Supervisor or his or her designee shall declare a snow emergency or winter storm emergency in a signed written notice to the Town Clerk or Deputy Town Clerk. Said notice shall become effective immediately after signing and shall indicate the date and exact time of the dec-

laration. The Chief of Police and Superintendent of Highways shall be notified immediately following a snow or winter storm emergency declaration. In addition to and during the declaration of snow or winter storm emergency, the Supervisor or his/her designee may promulgate local emergency orders to protect life and property or bring emergency situation under control.

B. The Supervisor or his/her designee shall notify at least one local media immediately following a snow or winter storm emergency declaration and local emergency orders, and the Supervisor or his/her designee may cause same to be posted on the Town's official website and/or social media platforms.

C. The snow or winter storm emergency declaration and local emergency orders shall be in effect until such time as a snow or winter storm emergency and/or local emergency order termination has been received by the Town Clerk or Deputy Town Clerk.

§124-4. Parking prohibited during snow emergency.

No parking is permitted on either side of any roadway during a snow or winter storm emergency declaration.

§124-5. Road closure.

The declaration of a snow or winter storm or local emergency orders may designate and declare certain highways and roads closed such that vehicular travel is prohibited during the snow or winter storm emergency or for such other period of time recited in the declaration of snow or winter emergency or local emergency orders. The only vehicles allowed on the highways and roads declared closed are emergency vehicles (police and designated police tow vehicles, fire, ambulance), highway department vehicles and other essential public service vehicles.

§124-9. Snow emergency termination/rescission of local emergency order.

A. The termination of a snow or winter storm emergency and/or rescission of local emergency orders shall be declared by the Supervisor or his/her designee. Such termination or rescission shall be made at the discretion of the Supervisor when snow removal operations or such other required remediation efforts have been completed to the satisfaction of the Supervisor.

B. The Supervisor or his/her designee shall declare a snow or winter storm termination emergency or rescission of local emergency orders in a signed written notice to the Town Clerk or Deputy Town Clerk. Said notice shall become effective immediately upon receipt and shall include the date and exact time of the snow emergency termination or rescission of local emergency orders. The Chief of Police and Superintendent of Highways shall be notified immediately following a snow or winter storm emergency termination or rescission of local emergency orders.

C. The rescission of a snow or winter storm emergency shall be published on the Town's website.

D. The snow or winter storm emergency termination or rescission of local emergency orders related thereto shall nullify any provisions or conditions resulting from a snow or winter storm emergency declaration or local emergency order, as the case may be, as provided for in this article.

§124-10. Penalties for offenses; removal of vehicles in violation.

A. Any person, association, firm or corporation, owner or occupant who or which violates §§124-4 or 124-5 shall be guilty of a violation punishable by a fine of not less than $250. Each day the violation continues shall constitute a separate additional violation.

B. Any vehicle parked on any highway within the Town of Shelter Island during a snow or winter storm emergency as set forth in §124-4 shall be deemed to affect the ability of the Town to remediate hazardous roadway conditions or create a hazardous condition and/or impede or potentially impede the ability of fire, police, highway and ambulance vehicles and personnel to provide necessary services to Town residents on that portion of the public highway on which said vehicle is parked such that said vehicle may be removed by the Shelter Island Town Police or other personnel so authorized by the Town Board and all procedures set forth in §§124-6, 124-7 and 124-8, including payment of all fees related to storage and removal, shall apply to vehicles removed from the highway pursuant to this provision.

C. Any vehicle traveling on any highway or road within the Town of Shelter Island that has been declared temporarily closed pursuant to a declaration of a snow or winter storm emergency and/or local emergency order related to such snow or winter event as set forth in §124-5 be deemed to affect the ability of the Town to remediate hazardous roadway conditions or create a hazardous condition and/or impede or potentially impede the ability of fire, police, highway and ambulance vehicles and personnel to provide necessary services to Town residents on that highway or road or portion thereof on which said vehicle traveled such that said vehicle may be removed by the Shelter Island Town Police or other personnel so authorized by the Town Board and all procedures set forth in §§124-6, 124-7 and 124-8, including payment of all fees related to storage and removal, shall apply to vehicles removed from the highway pursuant to this provision.

SECTION 4. EFFECTIVE DATE. This Local Law shall become effective immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:57 p. m., Supervisor Siller moved and Councilman Bebon seconded to go into executive session to discuss litigation.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The motion was thereupon declared duly adopted.

At 6:37 p. m., Supervisor Siller reconvened the regular meeting, and moved, and Councilman Bebon seconded to adjourn the meeting.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The motion was thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

February 17, 2021

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, 2021 via Zoom. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson and Michael Bebon. Councilwoman Amber Brach-Williams was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and eight persons were present.

The Supervisor called the special meeting to order at 2:33 p. m.

The Supervisor polled the Board members to agree to a waiver of notice to hold this special meeting.

Roll Call Vote:	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The motion was thereupon declared duly adopted.

RESOLUTION NO. 145

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

"Whereas", Tara Rehak, of Tara Rehak Productions, 301 Grand Street, Unit B, Jersey City, New Jersey 07302, has requested a filming permit for February 18, 2021, at 41 North Menantic Road from 7:30 a. m. to 6 p.m., and

"Whereas", the filming crew consists of 15 persons, 1 motorhome, 2 cargo vans, 1 minivans and 3 personal vehicles, and

"Whereas", said application has been reviewed by the Police Department and Highway Department, and the Police Department recommended that if the permit is approved, commercial vehicles associated with the production should be requested to park on the site location property at 41 North Menantic Road and non-commercial vehicles parked on the shoulder of the public roadway should be parked in the direction of travel, off the paved portion of the roadway and should not obstruct normal roadway usage, and the Highway Department recommends 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", Tara Rehak Productions has submitted the following fees:

Minor filming application fee	$500.00
Rush fee	$500.00
One day filming fee $600 per day	$600.00 and
Clean up deposit	$1,000.00, now

Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue the aforementioned filming permit.

Roll Call Vote:	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 146

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $453.89 from the 2021 B8040.484 Comprehensive Plan office and miscellaneous account to Southampton Postmaster for the purchase of 2500 postcards announcing upcoming events for the Comprehensive Plan project, as requested by the Project Director Edward Hindin.

Roll Call Vote:	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilman Bebon, the special meeting was adjourned at 2:35 p. m.

Roll Call Vote:	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

This moton was thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

March 5, 2021

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 5th day of March, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., 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 statement:

This is the March 5, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting. The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

RESOLUTION NO. 147

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

"Whereas", Stuart Israel, 22 Merkel Lane, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as 41.05035° north and 72.31703° west; said mooring location was formerly occupied by the O-3362 Carragher 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 26th day of March, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

"Whereas", the term of Marc Wein as a member of the Waterways Management Advisory Council expired on February 1, 2021, and

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

BE IT RESOLVED, That Marc Wein is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 149

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Brett Poleshuk is hereby appointed to serve as part time Code Enforcement Officer for the year 2021 effective March 8, 2021 at the rate of $25.00 per hour for ten hours per week.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 150

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Taylor Rando is hereby appointed to serve as Traffic Control Officer for the year 2021 at the rate of $21.00 per hour effective February 25, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 151

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

BE IT RESOLVED, That Jared Hamilton is hereby appointed to serve as Traffic Control Officer for the year 2021 at the rate of $19.00 per hour effective February 25, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Robert Hitscherich is hereby appointed to serve as Traffic Control Officer for the year 2021 at the rate of $19.00 per hour effective February 25, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, 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 November 13, 2020, Stephen Lenox was reappointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2023, and

"Whereas", Mr. Lenox has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Lenox continue to serve the Town of Shelter Island 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, 2023.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 154

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 5, 2021, Amira Lisle was reappointed to serve as Recreation/Aide for the year 2021, and

"Whereas", Amira has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Amira continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Amira Lisle is hereby re-appointed to serve as Recreation/FIT Aide for the year 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 155

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement check in the amount of $198.94 from Home Depot, and the reimbursement check in the amount of $331.59 from Riverhead Building Supply, for items returned, to the 2021 A1490.414 Public Works Town Hall and other buildings account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 156

Councilman Dickson 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 $750.00 from the 2021 A1620.483 buildings telephone account to Telenet NY, Inc., 115 North Richmond Avenue, Suite 1, Massapequa, New York 11758-3439, for the service contract for the telephone system, covering April 1, 2021 through June 31, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 157

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 $684.00 from the Police Department's 2021 A3120.491 contracts account to 3SI Security Systems, Inc., 101 Lindenwood Drive, Malvern, PA 19355, for the annual usage fees for 3 units of electronic surveillance equipment.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $39,638.35 from the Highway Capital Improvements Account to KS StateBank, Government Finance Department, P O Box 69, Manhattan, KS 66505-6059 for the first installment on the purchase of one 2021 Mack Tractor P1647T for the Highway Department.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 159

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Carol Karasek has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 1 Peconic Avenue, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $6,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $6,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 160

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", filming permit number 84 was issued on February 17, 2021 to Tara Rehak Productions for filming at 41 North Menantic Road on February 18, 2021, 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 Tara Rehak Productions, 301 Grand Street, Unit B, Jersey City, New Jersey 07302.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 161

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

"Whereas", the Town adopted an employee manual on February 5, 2021; and

"Whereas", the manual contains a provision adding a floating holiday and a holiday for the employee's birthday; and

"Whereas", these provisions were intended to be deleted prior to the passage/approval of the handbook but were inadvertently included; now, Therefore

BE IT RESOLVED, That the following provisions of the employee handbook are deleted from section 701 of the Employee Handbook:

*A full-time employee shall be permitted a paid day off in recognition of the employee's birthday. This day off may be taken on the actual birthday or on an alternate date requested of and approved by the Department Head.

and

**A full-time employee is credited with one floating holiday each January 1 which must be used during that calendar year. A newly hired full-time employee will be granted a floating holiday for use during the first calendar year of employment only if the employee's date of hire is prior to July 1. An employee must receive prior approval from the employee's Department Head to take the floating holiday;

and

BE IT FURTHER RESOLVED**,** That a copy of this resolution shall go into effect immediately and that a copy shall be provided to all employees.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 162

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

"Whereas", Applicant Alice Klaris proposes significant demolition work within vegetative buffer and adjacent regulated area at 18 Westmoreland, Shelter Island, New York and Zone to A Residential (Near Shore and Peninsular Overlay District) and bearing SCTM# 0700/18/01/ 17 (the "Premises"); and

"Whereas", the proposed project entails relocation of an existing 2864 SFLA single family house, construction of a new foundation, a screened in porch, a covered porch and five new bedrooms; the two existing cesspools will be replaced by an IA/OWTS septic system; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer: relocate existing single family house and remove two cesspools all to be relocated outside of the regulated area; and

"Whereas", any further work is proposed in conforming locations as per Site Plan by M. Sherman dated 11/1/20 for which a wetlands permit is not necessary; 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 has issued a permit numbered 1-4732-00228/00003 dated April 24, 2020; and

"Whereas" the Suffolk County Department of Health Services has issued a permit numbered R-20-0615 dated 9/23/20; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on February 5, 2021; 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 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. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council; and
2. This project will result in the removal of a house and septic system from the wetlands and the replacement of two cesspools with a nitrogen reducing septic system; and
3. The proposed project has adequate mitigation measures proposed or required, including run-off controls, that contribute to the protection and enhancement of wetlands; and

BE IT FURTHER RESOLVED, That a wetlands permit for the above described work to be conducted at the Premises is hereby granted, subject to the following conditions:

1. All construction shall proceed as depicted on the site plan of Matthew Sherman of Sherman Engineering and Consulting dated November 1, 2020 and the elevation and floor plan of Finfield, Parker, Erlman Architects dated September 28, 2020; and
2. The applicant will install stormwater recharging drywells; and
3. The applicant will install a fifteen (15) foot non-turf buffer along the bulkhead; and
4. Construction procedures and erosion controls including the anchored installation and maintenance of silt fences during all stages of construction shall be required; and be designed to prevent any runoff from disturbed ground into the wetland areas; and
5. Soil disturbance should be minimized where possible; and
6. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
7. No project excavation, regardless of depth, may intrude into the water table of require dewatering; and
8. If any structure is elevated to avoid dewatering as required by the Town Code the applicant must submit a runoff plan to prevent outflow onto neighboring property or adjacent waterway, or the street; and
9. All construction materials and equipment shall be staged outside the regulated area; and
10. Parking of all construction and delivery vehicles shall be on premises to the extent reasonably possible; and
11. No public street or public or private Right of Way may be obstructed or impaired during construction; and
12. Applicant must repair any damage to any adjacent public road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
13. 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
14. The existing septic system shall be replaced by a nitrogen reducing IA.OWTS septic system if the applicant is increasing square foot living area and one has not already been installed; and
15. Noise controls shall be pursuant to the Town Code; and
16. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
17. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
18. 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 a minimum limit of $500,000; and
19. This permit shall only be valid for construction commencing within two years of the date of this approval; and
20. The Building Inspector may halt construction for any violation of these restrictions or of the Unified Code; and

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye

Supervisor Siller aye
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 Supervisor Siller, to wit:

"Whereas", Applicant AJE Realty proposes significant demolition work within vegetative buffer and adjacent regulated area at 13 Montclair Avenue, Shelter Island, New York and Zone A Residential (Near Shore and Peninsular Overlay District) and bearing SCTM# 0700/22/02/59 (the "Premises"); and

"Whereas", the proposed project entails demolition of an existing 2,200 SFLA single family house, construction of a new 3,433 SFLA single family house, a partial new foundation and a new 1 story storage structure; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer: a small portion of the new house and new foundation, removal and replacement of the porch with a larger porch and steps; and

"Whereas", any further work is proposed in conforming locations as depicted on Site Plan by M. Sherman dated 11/19/20 for which a wetlands permit is not necessary; 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 has issued a letter of non-jurisdiction numbered 1-4732-00144/00008 Dated February 23, 2018; and

"Whereas", the Suffolk County Department of Health Services has issued a permit numbered R-20-0332 dated June 21, 2020 certifying the emergency replacement of the septic system; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on February 5, 2021, 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 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. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council; and
2. This applicant installed a new septic system in June 2020 on an emergency basis; and
3. The proposed project has adequate mitigation measures proposed or required, including runoff controls, that contribute to the protection and enhancement of wetlands; and

BE IT FURTHER RESOLVED, That a wetlands permit for the above described work to be conducted at the Premises is hereby granted, subject to the following conditions:

1. All construction shall proceed as depicted on the site plan and elevations and floor plan of Matthew Sherman of Sherman Engineering and consulting dated November 19, 2020; and
2. Construction procedures and erosion controls including the anchored installation and maintenance of silt fences during all stages of construction shall be required; and be designed to prevent any runoff from disturbed ground into the wetland areas; and
3. Soil disturbance should be minimized where possible; and
4. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
5. No project excavation, regardless of depth, may intrude into the water table of require dewatering; and
6. If any structure is elevated to avoid dewatering as required by the Town Code the applicant must submit a runoff plan to prevent outflow onto neighboring property or adjacent waterway, or the street; and
7. All construction materials and equipment shall be staged outside the regulated area; and
8. Parking of all construction and delivery vehicles shall be on premises to the extent reasonably possible; and
9. No public street or public or private Right of Way may be obstructed or impaired during construction; and
10. Applicant must repair any damage to any adjacent public road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and

11. 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
12. Noise controls shall be pursuant to the Town Code; and
13. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
14. The applicant shall install a low volume pump (5 gallons per minute Maximum) in the existing well coupled with a 300 gallon holding tank; and
15. The applicant shall install an automatic pool cover unless the pool is heated by solar power; and
16. The applicant shall install a salt cell chlorinator and cartridge filter to service the pool; and
17. The applicant shall install an 800-gallon potable water cistern for the purposes of pool auto fill which could also be used for the dock or for irrigation; and
18. Any new tennis court or driveway must be surfaced with non-irrigated permeable materials; and
19. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
20. 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 a minimum limit of $500,000; and
21. This permit shall only be valid for construction commencing within two years of the date of this approval; and
22. The Building Inspector may halt construction for any violation of these restrictions or of the Unified Code; and

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 164

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 Shelter Island Fire District as follows:

AGREEMENT

This Agreement, entered into by and between the Town of Shelter Island, 38 North Ferry Road, Shelter Island, NY 11964, and the Shelter Island Fire District, 49 North Ferry Road, Shelter Island, NY 11964, sets forth the terms and conditions by and between the parties as they relate to the position of Town Engineer which will jointly serve each municipality, and

"Whereas", the Town of Shelter Island has the authority to regulate the construction and occupation of buildings and structures located within the Town of Shelter Island, pursuant to the New York State Uniform Fire Prevention and Building Code, and the Shelter Island Town Code; and

"Whereas", the Shelter Island Town Engineer is responsible for professional design and consulting services related to the planning, design, construction and alteration of Town facilities; and

"Whereas", the Shelter Island Fire District has the authority to regulate the use and occupation of buildings and structures located within said District, to the New York State Uniform Fire Prevention and Building Code; and

"Whereas", pursuant to General Municipal Law Section 119-o, the parties are authorized to enter into joint municipal agreements; and

"Whereas", it is the intention of the parties that the Town of Shelter Island, through its Town Engineer, will provide all engineering work for the Shelter Island Fire District as may be needed, now, Therefore

BE IT RESOLVED, That it is hereby agreed by and between the Town of Shelter Island and the Shelter Island Fire District, as follows:

1) That, the Town Engineer shall perform all work practicable in consideration of the resources and capabilities of the Town Engineering Department which may be requested by the Shelter Island Fire District; and
2) That, the Shelter Island Fire District agrees to provide and furnish the Town of Shelter Island with all maps, forms, applications, rules and local regulations, and other documents necessary to carry out the duties required by this Agreement; and
3) That, all pertinent records shall be made available and provided to the Town Engineer; and
4) That, any liability that may result from the services provided by the Shelter Island Engineer to the Shelter Island Fire District shall be the responsibility of the Shelter Island Fire District; and
5) The Shelter Island Fire District shall provide appropriate liability insurance to cover any and all liability that may arise under the terms of this agreement; and
6) The Town Engineer shall not be deemed an employee of the Shelter Island Fire District; and
7) The Shelter Island Fire District agrees to reimburse the Town of Shelter Island for all fees and expenses incurred in connection with projects undertaken for the Shelter Island Fire District rendered by the Town Engineer or any outside contractor retained by the Town during the term of this Agreement at the same rate as he is paid by the Town; and
8) This Agreement shall be effective on the date it is executed by the parties and shall remain in effect until terminated upon the agreement of both parties.
IN WITNESS WHEREOF, the Town of Shelter Island has authorized the Supervisor to execute this agreement, and the Shelter Island Fire District, has authorized the Chairman of the Board of Fire Commissioners to execute this agreement.

Roll Call Vote:	Councilwoman Brach-Williams	abstain
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed 1 abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 165

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", the Federal Government is preparing to finalize the second Corona Virus Relief program; and

"Whereas", it is not yet known what funding may be available to the Town of Shelter Island under the federal program; and

"Whereas", it is likely that the Town will need to move quickly to obtain any available funds; now, Therefore

BE IT RESOLVED, that the Supervisor is hereby authorized to apply for or accept any federal grant or assistance available to the Town of Shelter Island under any Federal Corona Virus Relief Program.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 166

Councilman Dickson 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 4:40 p. m. prevailing time, on the 26th day of March, 2021, 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 Repeal of Chapter 109 of the Code and the inclusion of a new Chapter 109, to wit:

SITE PLAN REVIEW

§ 109-1 Purpose:

The purpose of this Chapter is to create a simple review process that allows the Town to ensure that new or changing businesses do not negatively impact the surrounding area but which does not

impose a significant regulatory burden on business. To this end, both the elements and the procedures are intended to be flexible and scalable based on the needs of the individual project. This is not intended to be an architectural or aesthetic review.

§ 109-2 Applicability.

A. **When Required** This chapter shall apply and a site plan review shall be required when any business within the Town of Shelter Island:

1. Commences operation; or

2. Significantly changes, alters or expands their use or intensity of use of premise in a manner that will significantly affect the characteristics of the site as outlined in §109-3(A); or

3. Applies for a building permit for any use, building or structure, except the single-family or two-family home use on a single and separate lot, customary accessory uses to single-family or two-family residential home use as stated in the Town Code.

B. **Replacements & Repairs** In-kind and in-place, minor or periodic repairs similar projects that do not significantly alter the characteristics of the site may be approved by the Building Department without the need for a formal site plan review so long as they otherwise conform to any other the applicable codes.

C. **Scalability:** It is the intent of this chapter to allow for the scaling the scope and intensity of each individual review to match the complexity of the proposed project or venture while keeping the procedure simple and consistent for all applicants.

D. **Early Intervention:** The town aims to improve communication and understanding early in the process in order to save time, money and effort for the applicants, their architects and/or engineers. As part of the initial review process, the Building Department shall identify any and all possible issues that are subject to review and shall require that the applicant address only those procedures and standards applicable to the individual project.

E. **Fairness.** It is the intention of this chapter that to recognize that time is often of the essence in commencing or rehabilitating a business and by way of early intervention, communication and collaboration ensure that while a full and complete review is conducted that it does not unnecessarily delay or burden the applicant.

§ 109-3 Standard of Review

A. **Determining Factors.** In considering and acting upon site plans, the following shall be take into consideration the general 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.** 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, permit emergency vehicle access and are in conformance with and do not disturb overall traffic patterns safety considerations.
2. **Interior circulation and parking.** Adequate off-street parking, handicap parking, and loading spaces are provided to satisfy the parking needs of the proposed uses on site and the provisions of §§ 133-8B(8) and 133-9F(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 from view and to provide a noise buffer.
4. **Existing Development, Comprehensive Plan and Prior Stipulations.** The development proposed is at a scale and density consistent with existing development, with the Comprehensive Plan of the Town of Shelter Island and with all prior zoning variances, wetlands permits, special permits and stipulations.
5. **Natural features & Environmental Concerns.** Due regard shall be paid to all-natural features and the general environmental impact on and adjacent to the site, including but not limited to wetlands, water bodies, drainage courses, wetlands, marshes, dunes, bluffs, beaches, escarpments, woodlands, large trees, land clearing, unique or endangered 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 and, if necessary timed, 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. **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 New York State MS4 program, all NYSDEC regulations and this Chapter.
10. **Public utilities**. The plans for water supply and sewage disposal are adequate. Installation of a nitrogen educing septic system.
11. **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 this chapter, Noise, of the Town Code.
12. **Handicapped access (ADA Compliance).** 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.
13. **Energy conservation.** The site plan and building design shall maximize the conservation of energy and ensure compliance with the New York Energy Code.
14. **Size.** The size of the subject parcel and the extent of the proposed development and/or disturbance of the applicant's premises.

B. **Burden Sharing.** Nothing herein shall preclude the Town Board from requesting that the applicant attempt to enlist 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.

§ 109-4 When a Site Plan Review is Required

A. Determination of Necessity. Within ten (10) days of receipt of an application for a building permit or any inquiry from an applicant regarding a new business or a change of use, the Chief Building inspector or his/her designee shall make a written determination as to whether a site plan review is required pursuant to § 109-2 (A) based upon the factors set forth in § 109-3 which shall be forwarded to the Town Board for consideration at the next work session.

B. Application Required. If Site Plan Review is necessary, the applicant will be required to submit an application for Site Plan Review through the Town Clerk

§ 109-5 Consolidation with Other Permits

A. Where additional Town Board permits are required for a project undergoing site plan review, such permits may be heard simultaneously with the site plan review. Separate hearings shall not be required.

B. Any permit or variance that is required to be obtained from the Planning Board or Zoning Board of Appeals must be heard separately by those boards.

C. Where multiple permits are considered simultaneously, a single resolution shall suffice to address all permits.

§ 109-10 Site Plan Application Procedure.

A. **Submittal of Application.** Site plan review shall commence with an applicant submitting a site plan review application and the applicable fee to the Town Clerk. The submission shall include 2 full size copies and a digital copy (in PDF form or any other electronic standard requested by the Building Department) of all documents.

B. **Site Plan Application Elements** A complete site plan application shall consist of the following and shall contain one (1) hard copy and one (1) electronic copy in .pdf format:

1. A completed site plan application form and site plan review fee.
2. An environmental assessment form, Part 1, where required by Chapter 60, Environmental Quality Review, of the Town Code. (No application shall be deemed complete until either a negative declaration has been made for the application or, if a positive declaration is made, until a draft environmental impact statement has been accepted by the Town Board as satisfactory.)
3. A site plan(see appendix).

a) The applicant shall submit a site plan map at a minimum scale of one inch equals 40 feet prepared by a New York State licensed architect, landscape architect, professional engineer or surveyor that shall include the relevant elements as shall be required by and available from the Building Department.

b) The Building Department at its discretion shall have the authority to allow the site plan to omit any elements not necessary for making an initial determination.

c) However, the Town Board may later require that such omitted information be provided even if initially omitted as not relevant.
d) Nothing within this section shall prevent the Building Department or Town Board from requiring additional elements be submitted at any time in support of an application if it is determined that other information is necessary to determine conformity of the proposed site plan with the spirit and intent of this chapter.

4. Any other information required by the Building Department.

C. Completion Review.

1. Within ten (10) business days following receipt of site plan review application, the Building Department shall, at its sole discretion:
a) Determine whether the application is complete pursuant to § 109-10(B); and
b) Deem the application complete or request further information or amendments from the applicant by first class mail or email. (Responses to request for further information or amendments shall be reviewed by the Building Department and responded to within ten (10) business days)

D. Substantive Review

1. Within fifteen (15) business days of deeming an application complete, the building department shall
a) Determine whether the proposed site plan complies with any and all applicable codes; and
b) Determine whether a zoning variance, wetlands permit or special permit is necessary pursuant to the requirements of all provisions of Chapter 133 - Zoning, or Chapter 129 – Wetlands.

i) If a zoning variance is necessary, it must be determined before a full site plan review can be conducted but shall not prevent conditional approval.

c) Specify the areas of concern in the submitted plan based on the factors contained in § 109-3 and prepare a written synopsis of all the applicable sections of the site plan review, specific to the particular project with recommendations as to requirements to impose.
d) Notify the applicant of any deficiencies (Responses to request for further information or amendments shall be reviewed by the Building Department and responded to within ten (10) business days); and
e) Forward this synopsis and recommendations to the Town Board.

E. Conditional Approval

1. Upon receipt and review of an application, the Building Department may, upon request and at its own discretion with written notice to the Town Board issue temporary conditional approval for a business to operate under the proposed site plan subject to the following:
a) The applicant must consent to the conditional site plan in writing; and
b) The applicant must provide proof of liability insurance with a per occurrence limit of at least $1 million; and
c) The applicant shall agree in writing to make any changes contained in the final site plan or discontinue the use proposed in the site plan; and
d) The conditional approval may be revoked by the Building Department at any time for any violation of the Town Code or for failing to comply with the proposed site plan; and
e) The building department shall advise the Town Board or all relevant terms of the conditional approval at the first available work session.
2. Conditional approval shall not extend to permitting the construction of any structure that would be difficult or impossible to alter or remove should such action be later ordered; and
3. Conditional approval may be granted for a specified period of time or until such time as the final site plan is approved by the Town Board.
4. The conditional approval shall be superseded by the final site plan once the latter is approved by the Town Board.

F. Delivery

1. Once the Building Department has submitted its synopsis:
a) The Town Clerk shall deliver electronic copies of the application and synopsis to:
i.) All members of the Town Board and the Town Attorney; and
ii.) All participants in the Initial review meeting; and
iii.) 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 Building Department or the Town Board

G. **Initial Review Meeting**

If the Building Department determines that a Site Plan Review is necessary an initial conference shall be scheduled to be conducted within 15 business days.

1. Required Representation
a) The applicant or their representative(s); and
b) A representative of the building department; and

c) A representative of the Town Board; and
d) A representative of the Planning Board; and
e) A representative of the Zoning Board; and
f) A Representative of the Conservation Advisory Council; and
g) Any other person that the Town Board deems necessary.

2. Issues to be determined

a) The elements of site plan review applicable to the proposed project; and
b) The Boards, committees and agencies that should review the proposed project; and
c) The time frames under which submissions must be provided and decisions made

3. Ultimate Authority
If the representatives at the Initial Review Meeting are unable to agree upon any issue, it shall be decided by the Town Board.

H. Analysis

1. The Town Board, at its discretion, may refer the site plan to any Town Department, Board or committee whose expertise it believes would be helpful in evaluating the material presented and the issues to be determined.
2. Any department, board or committee to whom any information is refereed for review must provide a response to the Town Board in a timely manner not to exceed fifteen (15) business days.

I. Public Hearing

1. The Town Board shall fix a time and place for a public hearing and shall provide for giving notice of the hearing by publishing a notice in the official newspaper at least ten (10) calendar days prior.
2. At least ten (10) calendar days prior to the hearing, the applicant shall mail notice of the time, date, place and nature of the hearing to the owners of record of every property which abuts and every property which is within two hundred (200) feet of the property involved in the application. Such notice shall be made by certified mail and addressed to the owners at the addresses listed for them on the local assessment roll. On or before the commencement of the public hearing, the applicant shall file a radius map prepared by a professional Engineer, Surveyor or Architect and an affidavit with postal receipts annexed thereto confirming mailing of said notices.
3. The applicant or his agent shall also erect or cause to be erected a sign or signs which shall be displayed on the parcel upon which the application is made, facing each public street on which the property abuts, giving notice that an application has been made to the Town Board, and stating the time and place where the public hearing will be held. The sign(s) shall not be located more than 10 feet from the street line, and shall not be less than two feet nor more than six feet above the natural grade at the street line. The sign(s) shall be displayed for not less than ten (10) calendar days immediately preceding the public hearing date. The applicant shall file an affidavit with the Town Board that he has complied with the provisions of this section. Failure to submit such affidavit shall result in the adjournment of the public hearing.
4. A public hearing shall be conducted as scheduled at which time the applicant and all interested parties shall be given the opportunity to address the Town Board and ask and answer questions at the meeting where the presentation is made.

J. Voting

1. Approval of a site plan shall require a simple majority. At its discretion, the Town Board may vote on the application at any time after the public hearing has concluded. If it is determined that further information is necessary to render a decision, the matter may be adjourned to the next regular meeting of the Town board or to a special meeting.
2. In determining whether to approve an application, the Town Board shall consider those factors set forth in § 109-3 as well as any other factors it finds relevant.

K. Notice of Decision

1. Within seven (7) calendar days of the vote on the application, the Town Clerk shall notify in writing the Building Inspector, the applicant, and any other party designated by the Town Board, of its approval, approval with modifications or disapproval.
2. A statement shall be placed on all written determinations for site plans approved by the Town 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 Town Board. In the event that the site plan is not signed by the owner or his agent within forty five (45) calendar days of the date of the written determination of the Town Board approving the administrative site plan, said written determination shall be deemed null and void.

L. Ultimate Authority

The Town Board is the ultimate authority in determining Site Plan Review and nothing in this chapter shall prevent the Town Board from assuming jurisdiction over the process at any time or waiving any requirement in the application or review process that is not mandated by Suffolk County, New York State or Federal Law, statute or regulation.

§ 109-11 Amendments

A. Any proposed amendment to the site plan must be approved by the Town Board pursuant to the procedure set forth in § 109-10 except that those site plans incorporating amendments made at the direction of the Town Board may be approved by the building inspector upon submission to the Building Department.

B. Neither a site plan nor amended site plan shall be required as part of a submission for a subsequent building permit so long as site conditions have not changed since the submittal of the most recently approved site plan on file in the Building Department.

§ 109-12 No Work to Proceed Without Site Plan

A. 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 Town Board.

B. No 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 Town Board. The Town Board reserves the right to require corrective regrading and landscaping should a landowner intentionally proceed with this work prior to approval or written permission.

C. 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.

§ 109-13 Time Limits for Planned Construction

A. For the purpose of obtaining approval for construction, an approved site plan shall be valid for a period of two years from the date of approval unless a building permit is obtained.

§109-14 Fees.

A. Applicants shall submit the requisite fees with an application for a site plan or amended site plan, in an amount established from time to time by resolution of the Town Board

§109-20 Compliance

A. The provisions of this chapter shall be enforced by the Building Inspector or by any Code Enforcement Officer of the Town of Shelter Island.

§109-21 Penalties for Offenses

A. An offense against the provisions of this chapter shall constitute a violation under the Penal Law and shall be punishable by a fine of not less than two-hundred fifty ($250) Dollars and not more than one thousand $1000 dollars or by imprisonment for not more than 15 days, or both.

B. Any violation of this chapter that is not corrected within thirty days of receipt of a notice of violation shall may be charged as a separate and distinct violation.

C. The Town may require removal of any structure constructed in violation of this chapter and may order the discontinuance of any use not permitted under the terms of the Site Plan Review.

APPENDIX – SITE PLAN CONTENTS

Required Submissions. The submitted site plan is to include those elements listed below or any further information that is appropriate to the evaluation of proposed project.

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 curblines.

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 Town 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 three 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 twenty-four-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 Town Board to be necessary to determine conformity of the site plan with the spirit and intent of this Chapter or Chapter 133, Zoning.

Section 2: This Local Law shall take effect immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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:

"Whereas", COKID, 10 South Ram Island Drive, has petitioned the Town of Shelter Island for a wetlands permit and Special Permit to remove existing single family dwelling, decks, patios, septic system and retaining walls within 100 feet of regulated wetlands; construct new single family dwelling, accessory building, decks, patios, septic system and other improvements outside of regulated area; new pool and patio within adjacent regulated 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 4:42 p. m., prevailing time, on the 26th day of March, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

Whereas", heavy commercial traffic has created a danger to other vehicles and pedestrians and may cause damage to Serpentine Drive; now, Therefore

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on the 26th day of March, 2021, 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 following proposed Local Law entitled A LOCAL LAW IMPOSING WEIGHT RESTRICTIONS ON SERPENTINE DRIVE, to wit:

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

Section 1: SEQRA

This Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this minor alteration to traffic patterns will not result in a significant adverse impact on the environment and that a full environmental assessment will not be prepared.

Section 2: Local Law Amended

§126-9.1 (A) of the Shelter Island Town Code is amended to add "Serpentine Drive and the unpaved portions of Sunnyside Avenue to the end of the first sentence after "New York Avenue" and the complete amended section shall read as follows:

> Any vehicle registered with a gross vehicle weight rating or a gross combination weight rating of more than nine tons shall be excluded from New York Avenue, Serpentine Drive and the unpaved portions of Sunnyside Avenue. Such exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property on New York Avenue, Serpentine Drive and the unpaved portions of Sunnyside Avenue or to prevent traffic from going to and from residences and businesses located on New York Avenue, Serpentine Drive and the unpaved portions of Sunnyside Avenue.

And be it further **RESOLVED** that the following subsection shall be added to the Shelter Island Town Code:

> §126-9.1 (B) Sufficient signage shall be erected in locations that will ensure that overweight vehicles have the opportunity to divert to alternate routes.

Section 3: Effective date

This amendment shall take effect immediately upon filing with the secretary of state.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 169

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", the Town of Shelter Island owns Fresh Pond and wishes to undertake a study to determine the quality of the water and potential mitigation strategies; and

"Whereas", the after bids pursuant to the Town's purchasing policy, the firm of Lombardo Associates Inc. has been selected to complete the study and has estimated a cost of $64,800.00; and

"Whereas" the Town has received a grant from the State of New York in the amount of $30,000.00; and

"Whereas" the Fresh Pond Neighbors Association has offered to pay $15,000.00 toward the expense of the study; and

"Whereas", the Town wishes to minimize the effect on property taxes that may result from this study; and

"Whereas", section 64 e of the New York State Law and section 50 of the Shelter Island Town Code permit the use of funds generated by the Peconic Bay region Community Preservation Fund for water quality initiatives; now, Therefore

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:48 p. m., prevailing time, on the 26th day of March, 2021, 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 use of Community Preservation Funds to cover partial cost of the Fresh Pond Water Quality Study, and

BE IT FURTHER RESOLVED, That if said authorization is approved, the Supervisor is authorized to expend up to $20,000 from the twenty percent (20%) portion of the Community Preservation Fund account set aside for water quality improvement projects to cover the remaining cost of the Fresh Pond water quality study.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 170

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Francesca Bang/Gerry Gleich, 5 Charlie's Lane, have petitioned the Town of Shelter Island for a wetlands permit to demolish existing residence and porch, remove driveway, existing septic and well, construct new two story residence, porch and second floor deck, associated steps, patio with grill, storage shed, drainage, IA OWTS, pervious driveway, new well, propane tank, air conditioning unit and outdoor shower, 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 26th day of March, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 171

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

BE IT RESOLVED, That the following funds are hereby encumbered from 2020 to be expended in 2021 with 2020 funds, to wit:

$28,500.00 from the A1440.497 Engineering professional services account for ADA compliance;

$12,713.20 from the A1490.200 Public Works equipment account for a new mower;

$27,602.00 from the A1490.414 Public Works Town Hall & other buildings account for highway doors;

$5,000.00 from the A1490.425 Public Works non highway tree maintenance account for Brander Parkway;

$11,000.00 from the A1490.417 Public Works Town landings account for Dawn Lane bulkhead;

$4,700.00 from the A1490.422 Public Works dredging account for the Merkel Boat Basin;

$109,920.00 from the A1490.498 Pubic Works Crescent Beach bathhouse account for the Crescent Beach bathhouse;

$468.00 from the A3120.273 Police Department firearms and ammunition account for Am-Char Wholesale;

$9,890.00 from the A3120.484 Police Department office and miscellaneous account for North Fork Fence;

$1,882.80 from the A3120.200 Police Department equipment account for Integrated Wireless;

$2,580.00 from the A3120.200 Police Department equipment account for Integrated Wireless;

$3,306.49 from the A3120.200 Police Department equipment account for Integrated Wireless;

$547.00 from the A3120.200 Police Department equipment account for Suffolk Security;

$5,254.60 from the A3120.200 Police Department equipment account for Watch Guard;

$2,515.00 from the A3510.200 Animal Control Officer equipment account for NIOSI Firearms Development, LLC;

$25,148.00 from the A3510.498 Animal Control Officer deer reduction management account for Lawrence R. Davis/Davis Aviation;

$15,915.65 from the A4540.200 Ambulance Equipment account for Motorola Solutions;

$5,172.30 from the A4540.484 Ambulance office and miscellaneous account for East End Sporting Goods;

$10,000.00 from the A7320.201 Youth Center new air conditioning account for new air conditioning;

$10,905.00 from the A8160.201 Landfill recycling center roof account for the recycling center roof;

$4,000.00 from the A8160.484 Landfill office and miscellaneous account for an SMS program;

$3,300.00 from the CP8710.480 Community Preservation Fund audit account for Rehn & Maresco, CPAs;

$6,000.00 from the DA5130.491 Highway Machinery refurbish equipment account for the Freightliner;

$86,439.00 from the DA5130.246 Highway Machinery equipment account for a new truck and a forklift; and

$111,417.37 from the DB5110.445 Highway Repair & Improvements account for Corazzini Asphalt for road raising.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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:

"Whereas", the Town has determined that preservation of the quality of the water in our sole source aquifer is a high priority for the Town; and

"Whereas", the Town has determined that the Water Quality Improvement Advisory Board (WQIAB) should be permitted to accumulate funds sufficient for larger projects that may exceed its annual 20% allotment from the Community Preservation Fund (CPF), now, Therefore

BE IT RESOLVED, That funds allotted to the WQIAB in the year 2020 from the 2019 CPF revenue be carried over in perpetuity unless returned to the CPF by resolution of the Town Board, and

BE IT FURTHER RESOLVED, That nothing in this resolution shall be determinative of whether future WQIAB funds shall carry over automatically or require an annual resolution from the Town Board.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Councilman Siller, to wit:

BE IT RESOLVED, That the following 2020 budget transfers are hereby approved:
$400.00 from the A1440.497 Engineering professional services account to the A1490.497 Public Works professional services account;
$23,304.98 from the A1490.410 Public Works grounds maintenance account and dispersed as follows:
$12,713.20 to the A1490.200 Public Works equipment account,
$4,366.17 to the A1490.414 Public Works Town Hall and other buildings account,
$5,421.44 to the A8160.451 Landfill C&D hauling account, and
$804.17 to the A8160.423 Landfill electric account;
$5,000.00 from the A1490.415 Public Works trees account to the A1490.425 Public Works non highway tree maintenance account;
$4,000.00 from the A1490.424 Public Works fuel depot maintenance account to the A8160.484 Landfill office and miscellaneous account;
$32,513.38 from the A1490.409 Public Works beaches and parks account and dispersed as follows:
$15,434.38 to the A8160.438 Landfill processed concrete account,
$3,483.25 to the A8160.434 Landfill hazardous waste carting fees account, and
$13,595.75 to the A8160.433 Landfill msw account;
$525.00 from the A1490.484 Public Works office and miscellaneous account and dispersed as follows:
$325.00 to the A5010.400 Superintendent of Highways office and miscellaneous account, and
$200.00 to the A8160.484 Landfill office and miscellaneous account;
$516.00 from the A3120.457 Police Department towing account, and
$500.00 from the A3120.491 Police Department contracts account to the A3120.487 Police Department uniform allowance account;
$5,038.00 from the A4540.408 Ambulance building maintenance account,
$3,411.00 from the A4540.422 Ambulance food account,
$7,702.00 from the A4540.428 Ambulance communications account,
$1,088.00 from the A4540.478 Ambulance medical supplies account,
$5,101.00 from the A4540.485 Ambulance vehicle maintenance account, and
$228.88 from the A4540.486 Ambulance vehicle fuel account to the A4540.200 Ambulance equipment account;
$668.90 from the A4540.492 Ambulance travel and meetings account to the A4540.445 Ambulance utilities account;
$635.68 from the A4540.486 Ambulance vehicle fuel account, and
$1,826.10 from the A4540.492 Ambulance travel and meetings account to the A4540.484 Ambulance office and miscellaneous account;
$11,957.00 from the A8160.408 Landfill maintenance account to the DA5130.246 Highway Machinery equipment account;
$10,579.70 from the DA5130.446 Highway Machinery repairs account and dispersed as follows:
$579.70 to the DA5130.249 Highway Machinery new truck account, and
$10,000.00 to the DA5130.246 Highway Machinery equipment account;
$5,267.99 from the DA5142.147 Highway snow removal personal services account, and
$46,171.01 from the DA5142.447 Highway snow removal account to the DA5130.246 Highway Machinery equipment account;
$7,500.00 from the DB5110.479 Highway Repair & Improvements surveys account,
$5,600.00 from the DB5110.480 Highway Repair & Improvements MS4 account, and

$9,400.00 from the DB5110.482 Highway Repair & Improvements MS4 maintenance to the DB5110.445 Highway Repair & Improvements contractual account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 174

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That 2020 general claims numbered 2199 through 2217 in the amount of $95,401.90, 2020 highway claims numbered 291 through 292 in the amount of $2,115.93, 2021 general claims numbered 93 through 221 in the amount of $145,841.44, 2021 Community Preservation Fund claim number 2 in the amount of $106.56, 2021 highway claims numbered 7 through 27 in the amount of $23,297.14, and 2021 West Neck Water claim number 2 in the amount of $190.42 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:17 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Peter Levenson, 23 Winthrop Road, for a wetlands permit to construct a small retaining wall 2'-0" high by plus or minus 60' long; the top of proposed wall will align with top of existing grade, wall to be located 39' 8" south of the existing bulkhead and set back 37' from west property line and 17' from east property line.

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

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

Councilman Colligan presented the Conservation Advisory Council report, as follows: the CAC meeting, February eighth, we meet again next week, and unfortunately there was only three members there out of their seven but Howard had gone to the Levenson home, inspected it, the goal was to save the bank, the top layer of the bank, very simple and he took an unofficial vote, it was strictly an unofficial vote at three, zero to approve it but they did not have a fourth member present, so that's all she wrote on that; did they request that we hold; they did, I don't know whether Craig was gonna go out and try to get another person, I don't think that, if that should happen, Bob if you have three members out of seven and you don't have a quorum, it's not an official vote, you can't go out and get another member; consequently not; I would think that take an official vote on Monday night, but they didn't have any problem with it; technically it is not even a meeting if there is no quorum, just remember here, the roles of the Planning Board and the CAC is just an advisory, if the Town Board decides that this is a simple enough application, that they don't need to wait for that, then they can proceed with it; may I make a statement; sure; just to correct, thank you for hearing this, the change is quite de minimus, in fact it's probably about fifty square feet which barely needs the approval, but there's no change in grade, there's no change in elevation, there's no change in footprint or impervious area and the purpose of this improvement is really just to stabilize, really to replace a meadow edge, a timber edge, again below the grade and the purpose of it is to maintain the drainage away from the bank and into the drywell that was part of the subsequent previous application which was approved in fifteen and that's really it, there's no change to any of the drainage, any of the footprint and it really, I've been appealing to do it as soon as possible, I've been watching it change slightly over the years, since fifteen when we installed, it was used to keep the drainage the way it was designed by the engineers originally and to make sure that we don't get drainage down the bank into the harbor and it is starting to happen so time is a little bit

of the essence and even though it's probably a four day job, it's all going to be done by hand, no machines will go in there, it's not a big job so that's, and Reed from the Building Department with one of his colleagues to see it as well and others have been there, and really this is a de minimus application; I was going to say the same thing before you spoke Mr. Levenson and I looked at it and it's really just because it's where it is that we have to have this, you know, but it's a pretty minimal project going to better the situation, I'd be comfortable voting on this and waiting for the CAC; we don't have a resolution for this evening, I do have a Planning Board report; go ahead; I have it as well; okay do you want to read it Michael; go ahead; yeah.

Councilman Bebon presented the following Planning Board, as follows: basically the Planning Board feels that it would be an improvement and recommend its approval.

The Supervisor reported: alright so we'll have a special meeting Tuesday Mr. Levenson and we'll approve it then; that would be great, I would appreciate that; alright.

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 5:23 p. m. and called to order the public hearing to be held as advertised on the application of Peconic On Shelter, LLC, c/o Gary Sher, 68 Peconic Avenue, for permission to construct a 4' by 125' fixed dock with a 4' by 30' "L" section, install one 2-pile tie-off dolphin, provide for water and electrical service to offshore end of dock, and construct access stairway from bulkhead on to dock and to beach.

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: I reported last Tuesday, the WMAC met, reviewed this application, Jack Costello is doing the project, he spoke to Sharon this morning, Sharon sent me an email on that, I spoke to Jack early this afternoon, he has no problem waiting on this, the problem is the seas are pretty rough, this is a hundred and twenty-five foot dock that he asked for which we can do legally in outside waters, that's not an issue, it also comes with a splashboard which is recommended on the west side of Peconic where the seas are pretty rough, me, I have no problem with the splashboard, they also have a boat lift that's part of the dock, they had no problem with that, the committee wanted to reduce the length of the dock from one twenty-five to one hundred feet, when I spoke to Jack today, two things, number one, the committee has for a hardship, he said he sent the hardship and I asked Dot to resend that letter to the committee, secondly according to Jack, whey you bring the __ on the inside of the "L", on the landside of the "L", it's not the depth of water, remember I said last Tuesday; right; picking up two to four inches of water when going out from a hundred to a hundred twenty-five feet of water, what Jack explained to me was that for the new boat to be able to dock inside the "L" which is really what they've got to do, getting on and off inside that "L" and he feels that losing that twenty five feet makes it difficult for the boat to swing out and execute theoretically a two hundred and seventy degree turn to be able to dock there so I suggested to Jack that, I gave him the meeting dates for the next meeting, he will come and explain that to the committee so it's basically on hold.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I'm not a big boating guy but what's the difference if he has to turn at a hundred feet and a hundred and twenty-five feet; I don't know, the depth of water, I don't know if that's the issue and how much; good; he has no problem with; really, okay so we'll recess this one; yes.

The Supervisor declared the public hearing recessed at 5:27 p. m. and reconvened the Wilson mooring public hearing.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the only two we took up at the WMAC was the Israel mooring application and the Sher dock, unless it was done the month before; I thought there was a bunch that was scheduled the last time that the committee hadn't met and we were waiting for them to meet; right, that's right; yeah last month we said we were waiting for the WMAC report on Wilson, on Coppens and on Meech; okay; and that's why we recessed all three; okay, I'll have to go get my January meeting for that, I just don't have it with me right here so let me look at that; I've got it, it's on the January eighth meeting; yeah; this is Wilson we are talking about; yes; WMAC approved the application with new coordinates 41.065980 north, latitude 72.36177 west; yeah so we have to

change that on the; yeah; 41.056980 north; we have already fixed that, so; oh you have, okay; yes we have that; okay; I'm just looking at Wilson; the one that I have doesn't say the same as what Amber has, what do you have on the longitude; the longitude was, they approved 72.36177; it's really minute, okay; we'll double check that one; okay so we can close that hearing; yes sure.

The Supervisor declared the public hearing closed at 5:30 p. m. and reconvened the recessed public hearing on the application of Bradley Coppens, 32 Little Ram Island Drive, for permission to install a mooring in Coecles Harbor, approximately 186 feet south of the Relyea mooring C- 3560 and further designated as latitude 41.07969° north and longitude 72.30136° west; said mooring location was formerly occupied by the Trynin mooring.

Councilwoman Brach-Williams reported on behalf of the WMAC, as follows: on that one, mooring 1473 Trynin will be moved to the proposed location at a longitude 41.07969 north and lat 72.30136 west.

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 5:31 p. m. and called to order the public hearing to be held as advertised on the application of Randy Meech, 7 Little Ram Island Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.076469° north and longitude 72.308029° west; said mooring location was formerly occupied by the C-895 Compton mooring.

Councilwoman Brach-Williams reported on behalf of the WMAC, as follows: The WMAC report on that was, the application to take over mooring C-895 Compton, the WMAC approved that application; yes, all three of those were unanimous with the only abstention coming from Mike Anglin; 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 closed at 5:32 p. m. and reconvened the recessed public hearing to be held on the application of Allie's Fault (Josh Sapan & Ann Foley) 22 Prospect Avenue, for permission to install a mooring in Shelter Island Sound 85' northwest of applicants' property at a location designated as latitude 41.083768° north and longitude 72.361457° west.

Councilwoman Brach-Williams reported that the WMAC approved the application.

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 5:33 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 175

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Miles Wilson, 57F Strobel Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay off Cackle Hill Town Landing, approximately 105 feet east of the Shea mooring W- 2740 and further designated as latitude 41.06566° north and longitude 72.36401° west,

"Whereas", a public hearing was duly held on the 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 176

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

"Whereas", Bradley Coppens, 32 Little Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor, approximately 186 feet south of the Relyea mooring C- 3560 and further designated as latitude 41.07969° north and longitude 72.30136° west; said mooring location was formerly occupied by the Trynin mooring, and

"Whereas", a public hearing was duly held on the 5th day of February, 2021, 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 Coecles Harbor, at a location designated as latitude 41.07969° north and longitude 72.30136° west.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 177

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Randy Meech, 7 Little 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 41.076469° north and longitude 72.308029° west; said mooring location was formerly occupied by the C-895 Compton mooring, and

"Whereas", a public hearing was duly held on the 5th day of February, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 178

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Allie's Fault (Josh Sapan & Ann Foley) 22 Prospect Avenue, have petitioned the Town of Shelter Island for permission to install a mooring in Shelter Island Sound 85' northwest of applicants' property at a location designated as latitude 41.083768° north and longitude 72.361457° west, and

"Whereas", a public hearing was duly held on the 23rd day of October, 2020, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Bebon, the meeting was adjourned at 5:38 p. m. and approved by roll call vote.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The motion was thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

March 9, 2021

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 via Zoom on the 9th day of March, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and five persons were also present.

The Supervisor called for the Town Board to give their permission to hold this special meeting.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The motion to allow permission for this special meeting was thereupon declared duly adopted.

The Supervisor called the meeting to order at 2:26 p. m.

RESOLUTION NO. 179

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Peter Levenson has applied to the Shelter Island Town Board for a wetlands permit for the premises located at 23 Winthrop Road, Shelter Island, New York and zoned C-Residential/Near Shore and Peninsular Overlay, designated as Suffolk County Tax Map 0700-7-4-14.3; and

"Whereas", the applicant seeks a wetlands permit for the replacement of lawn edge detail at the top of the bank (plans by Peter Levenson Architect dated 1/27/21); see previous Wetlands Permit #0118 dated July 13, 2015 based on plans by M. Sherman dated June 18, 2015 last revised June 29, 2015; and

"Whereas", the following is proposed within the seventy-five vegetative buffer regulated area: replacement of a lawn edge detail at the top of the bluff which includes an angle iron edge and 3 course ACQ ties; and

""Whereas", no work is proposed within the twenty-five foot adjacent regulated wetlands area; 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 a letter of non-jurisdiction dated November 24, 1981 for this property limiting its jurisdiction to areas seaward of the existing bulkhead; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on March 5, 2021, and

"Whereas", no Suffolk County Department of Health Services permit is required; 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 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 property is bulkheaded with a steep bluff from the house down to the bulkhead; and

2) This is essentially a repair of a retaining wall and will have a minimal effect on the wetlands; and

BE IT FURTHER RESOLVED, That a wetlands permit for the above described work to be conducted at the premises is hereby granted, subject to the following conditions:

1. All construction shall proceed as depicted on the plans by Peter Levenson Architect dated 1/27/21; and
2. Construction procedures and erosion controls including the anchored installation and maintenance of silt fences during all stages of construction shall be required, and be designed to prevent any runoff from disturbed ground into the wetlands areas; and
3. Soil disturbance should be minimized where possible; and
4. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
5. No project excavation, regardless of depth, may intrude into the water table or require dewatering; and
6. If any structure is elevated to avoid dewatering as required by the Town Code, the applicant must submit a runoff plan to prevent outflow onto neighboring property or adjacent waterway, or the street; and
7. All construction materials and equipment shall be staged outside the regulated area; and
8. Parking of all construction and delivery vehicles shall be on premises to the extent reasonably possible; and
9. No public street or public or private Right of Way may be obstructed or impaired during construction; and
10. Applicant must repair any damage to any adjacent public road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
11. 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
12. Noise controls shall be pursuant to the Town Code; and
13. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
14. 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 a minimum limit of $500,000; and
15. This permit shall only be valid for construction commencing within two years of the date of this approval; and
16. The Building Inspector may halt construction for any violation of these restrictions or of the Unified Code; and

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilwoman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Bebon, the special meeting was adjourned at 2:32 p. m. and approved by roll call vote.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilwoman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The motion was thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

March 26, 2021

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 26th day of March, 2021 via Zoom. Town Board members present were Supervisor Gerard F. Siller, Councilmen Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Councilman James T. Colligan was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and approximately thirty-one persons were also present.

The Supervisor called the meeting to order at 4:32 p. m.

Salute to flag.

The Supervisor presented the following statement:

This is the March 26, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting. The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

The Supervisor presented the following financial reports for the months of January 2021 and February 2021, as follows:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
JANUARY 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	3,742,404.07	3,668,567.26	945,814.89	6,465,158.44	809,839.40
Hwy Checking	862,638.70	2,045,480.29	253,186.72	2,654,932.27	
T&AChecking	124,634.14	13,667,625.31	13,060,487.71	731,771.74	10,516.13
T&A Savings	12,237.96	0.29		12,238.25	
Hwy Cap Res	394,049.51	9.39		394,058.90	
WNW Supply	5,399.61	24,662.69	6,541.75	23,520.55	134,250.44
Taylor's Island	44,122.34	1.12		44,123.46	
Comm Preserv	2,145,248.36	316,951.72	4,829.74	2,457,370.34	5,904,159.90
Waterways	169,303.10	5,428.00	31,463.89	143,267.21	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,327.58
Environmental	0.00			0.00	5,678.73
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	186,467.60	1.56		186,469.16	
Ambul Train	24,479.75	0.58		24,480.33	
TOTALS	10,017,631.80	19,728,728.21	14,302,324.70	15,444,035.31	7,235,772.18

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
FEBRUARY 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	6,465,156.44	543,265.67	572,664.65	6,435,757.46	809,882.71
Hwy Checking	2,654,932.27	240.19	119,902.84	2,535,269.62	
T&AChecking	731,771.74	235,200.14	826,610.17	140,361.71	10,516.72
T&A Savings	12,238.25	0.28		12,238.53	
WNW Supply	23,520.55	8,635.17	190.42	31,965.30	134,257.64
Hwy Cap Res	394,058.90	9.07		394,067.97	
Taylor's Island	44,123.46	1.01		44,124.47	
Comm Preserv	2,457,370.34	769,985.62	15,755.52	3,211,600.44	5,904,475.82

Waterways	143,267.21	1,850.00		145,117.21	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,347.44
Environmental	0.00			0.00	5,679.01
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	186,469.16	65,001.76		251,470.92	
Ambul Train	24,480.33	0.56		24,480.89	
TOTALS	15,444,035.31	1,624,189.47	1,535,123.60	15,533,101.18	7,236,159.34

RESOLUTION NO. 180

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Siller, to wit

"Whereas", Kevin Robinson, 4 Little Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor off owner's dock, approximately 180 feet east in line with neighbor mooring (Stahl), 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 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 181

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Stephen Coyle, 5 Sheep Pasture Lane, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor approximately 50 feet due east from the mean high water mark at the end of Cobbett's Lane; said stake, mooring and pulley system location was formerly occupied by the C-3012 Dennis Coyle stake, mooring and pulley system and designated as latitude 41.08788° north and longitude 72.32336° 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 4:44 p. m., prevailing time, on the 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 182

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Slade/Wise, c/o Lisa Slade, 55 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Shanty Bay of Coecles Harbor at a location designated as latitude 41.07358° north and longitude 72.28027° west; said mooring location was formerly occupied by the C-997 Dr. Arthur Wise 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 4:46 p. m., prevailing time, on the 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye

	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 183

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

"Whereas", William H. Brayer III, 3 Cozy Lane, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek at a location off the air strip in Westmoreland and designated as latitude 41.05421° north and longitude 72.356067° 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 4:48 p. m., prevailing time, on the 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 184

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

"Whereas", Jack Morgani/Geri Schmitt, 21 Tarkettle Road, have petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as latitude 41.05133° north and 72.31513° 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 4:50 p. m., prevailing time, on the 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 185

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", a vacancy exists on the Community Housing Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Robert Kohn is hereby appointed to serve as a member of the Community Housing Board for a term to expire on February 9, 2023.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 186

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Tristan Wissemann is hereby appointed to serve as FIT Aide for the year 2021 at the rate of $17.00 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye

	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 187

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

BE IT RESOLVED, That Joe Finora is hereby appointed to serve as Storm Water Officer for the Town of Shelter Island.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 188

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $6,331.00 from the 2021 A4540.484 EMS office and miscellaneous account to SCM Products, Inc., 60 Plant Avenue, Suite #2, Hauppauge, New York 11788, for the 2021 annual maintenance contract for the EMS computer program.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 189

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", the Commissioner of Public Works advertised for sealed bids for the replacement of the air-conditioning system in the Police Department building at 44 North Ferry Road, and

"Whereas", the following bid was received and opened by the Town Clerk's Office, as follows:

ZURAB's HVAC Inc. total bid $9,900.00, and

"Whereas" The Commissioner of Public Works and the Town Board have reviewed said bid and recommended its approval to award, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for the replacement of the air-conditioning system in the Police Department to Zurab's HVAC, Inc. for the aforementioned price.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 190

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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 March 31, 2021, in the amount of $63.06, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $63.06 from the trust and agency account to general account.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Bebon aye
Councilman Dickson aye
Supervisor Siller aye
4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 191

Councilman Dickson 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 $560.72 from the 2021 A1110.484 Justice Court office and miscellaneous account to Carr Business Systems, P O Box 936715, Atlanta, Georgia 31193-6715 for the annual maintenance contract for the period February 28, 2021 through February 27, 2022 for the copy machine in Justice Court.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Bebon aye
Councilman Dickson aye
Supervisor Siller aye
4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 192

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $950.00 from the A1010.484 Town Board office and miscellaneous account to PENFLEX, Inc., Service Award Program Specialists, 50 Century Hill Drive, Suite 3, Latham, New York 12110 for the preparation of the GASB 73 package for the LOSAP program for the volunteer ambulance for the fiscal year ending December 31, 2020.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Bebon aye
Councilman Dickson aye
Supervisor Siller aye
4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 193

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 2021.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Bebon aye
Councilman Dickson aye
Supervisor Siller aye
4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 194

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,600.00 from the 2021 A3120.491 Police Department contracts account to AT-Scene, LLC, P. O. Box 68, Sartell, MN 56377 for subscriptions for the iCrimeFighter Enterprise and ICrimeFighter.com.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Bebon aye
Councilman Dickson aye

Supervisor Siller	aye
	4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 195

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

BE IT RESOLVED, That the fees to be charged for parking permits shall be 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 Wade's Beach and Shell Beach Bar only);

Weekly permit: (any seven (7) consecutive days) SEVENTY ($70.00) DOLLARS);

Monthly permit: (any thirty-one (31) consecutive days) ONE HUNDRED TWENTY-FIVE ($125.00) DOLLARS, or

Season permit: (Friday preceding the observance of Memorial Day through Labor Day) TWO HUNDRED AND FIFTY ($250.00) DOLLARS.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 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 Supervisor Siller, to wit:

"Whereas", Pursuant to Section 40-5.1 C of the Code of the Town of Shelter Island, any Shelter Island resident may utilize and/or store a boat on Town Property between April 1 and November 30 of each calendar year pursuant to certain provisions, and for a fee to be determined by resolution of the Town Board, and

"Whereas", the sizes of the boats shall be determined as follows:

small - kayak, canoe, paddle board, dinghy under 9', skiff under 10', basically a single hull intended for no more than two people;

medium - sunfish, laser, opti, any type of said craft with one mast, one hull intended for two people, inflatable, small boat under 12'; and

large - multihull (hobie cat etc.) no longer than 18' with rudders extended, maximum beam 8', now, Therefore

BE IT RESOLVED, That the fees for storage of boats on Town property are set, as follows:

small boats	$50.00 per season
medium boats	$100.00 per season, and
large boats	$150.00 per season.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 197

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That pursuant to Section 133-36 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 16th day of April, 2021, on the application of South Ferry, Inc., 128 South Ferry Road,

Shelter Island, New York, for a special exception permit to remove several existing buildings, construct new maintenance barn with office, meeting room, sanitary facilities and work area.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 198

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", the Shelter Island Senior Center has received donations from several people in memory of Jeanne Moore in the amount of $400.00, and a donation in appreciation of the Covid vaccine availability on Shelter Island in the amount of $250.00 that the Senior Center staff would like to use toward programming, and

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

BE IT RESOLVED, That the following 2021 budget revisions are hereby approved:

$650.00 increase to the 2705SR Senior Center donations revenue account, to be funded by said donations, and

$650.00 increase to the 2021 A6777.497 Senior Center program providers expense account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 199

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

BE IT RESOLVED, That the following transfer of 2021 funds is hereby approved:
$13,525.20 from the B3622.100 Fire Marshal personal services account to a new B3620.102 Building Inspector Poleshuk personal services account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 200

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

BE IT RESOLVED, That 2021 general claims numbered 222 through 355 in the amount of $127,333.00, 2021 Community Preservation Fund claims numbered 3 through 6 in the amount of $112,968.59, 2021 highway claims numbered 28 through 45 in the amount of $27,063.17, and 2021 West Neck Water claims numbered 3 through 6 in the amount of $2,708.60 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 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 Local Law entitled Repeal of Chapter 109 of the Code and the inclusion of a new Chapter 109.

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

The Supervisor noted as follows: this has been discussed ad nauseum for quite a bit of time, it's been available at Town Hall, it's been discussed at work sessions, we talked about it quite a bit, it's been available.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: it concerns site plan reviews for people who aren't familiar with 109; Gerry, just for people who aren't aware, we had an extensive public hearing on this previously and there were some concerns from the Planning Board, the primary one being they wanted __ so this is basically a redraft substantially the same as the __ except it includes minor changes on that item.

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 COKID Invest LLC, 10 South Ram Island Drive, for a wetlands permit and special permit to remove existing single family dwelling, decks, patios, septic system and retaining walls within 100 feet of regulated wetlands, construct new single family dwelling, accessory building, decks, patios, septic system and other improvements outside of regulated area; new pool and patio within adjacent regulated area.

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

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

Councilman Bebon presented the Planning Board report for the wetlands application:

MEMORANDUM TO THE TOWN BOARD

24 March 2021

Re: **Cokid Invest LLC Wetlands Permit Application**

10 South Ram Island Drive Shelter Island Heights, NY

SCTM # 700-11-02-04.1

Zone AA Reverting to A, Near Shore Peninsular Overlay District

The Planning Board is in receipt of a Wetlands Permit Application prepared by Sherman Engineering & Consulting, P.A. dated January 25, 2021 to allow for the demolition of an existing single-family dwelling, covered deck, retaining walls and cesspools, and the construction of a swimming pool, patio and retaining wall within the regulated area. All other project components will remain beyond the 100' wetlands setback line.

The total area of the site is 139,851 sf (3.21 acres). The property and proposed structures are to comply with A Zone bulk regulations. It has many old growth trees which the applicant has had mapped by their surveyor, CME Associates, dated 6 February 2019.

There is a **NYSDEC Letter of No Jurisdiction** (1-4732-00134/00003), dated October 29, 2019, based on the existence of a functional seawall more than 100 feet in length that was constructed before 20 August 1977.

There is a **SCDHS Permit** (# R-20-0244), dated April 7th 2020, for an I/A system approved for 9 bedrooms total. The two existing cesspools within the Vegetative Buffer are to be abandoned.

Planning Board Members visited the site, reviewed the surveys while on site and considered all submissions presented to them.

<u>We submit the following observations:</u>

The existing property consists of a seven-bedroom 1-1/2 story house over a basement, circa 1929, with a covered porch, attached garage and three accessory structures—a detached covered pavilion, attached greenhouse, and detached shed. It has a stone seawall and a wide T-shaped dock with two dolphins. It is pre-existing, and non-conforming to our Town Wetlands Ordinance, as the covered porch extends partly into the Vegetative Buffer and the covered porch, house and attached greenhouse extend into the Adjacent Regulated Area.

The proposed plan includes a seven-bedroom 2 story house over a partly finished basement, covered entry and waterside porches, swimming pool with associated patio, and a two-bedroom accessory structure which includes a studio and an attached garage. The new house, detached garage,

and two-bedroom accessory sleeping area, and office/art studio would be entirely landward of the Town Regulated Area, in conforming locations. The proposed pool and associated patio, however, would be in the Town's Adjacent Regulated Area, with the pool proposed to be 83', and the pool patio 76.2', from the seawall (wetlands delineation line).
The existing sanitary system, two cesspools, is located within the Town Vegetative Buffer, while the new I/A system would be outside of the Regulated Area.
No work to the existing dock is proposed at this time, however the seven foot +/- wide dock is in poor shape and will need significant repairs in the near future. A fixed section, lower than the main dock, is collapsing. The existing stone bulkhead appears to be sound.
The existing electrical power service is too low and poses a significant hazard. It should be addressed immediately.
There is an underground Liquid Propane Gas tank on the property, landward of the existing residence. Planning Board Members saw no evidence of underground oil tanks, and the application claims there are none.
There are many mature trees on the property of various species and condition. The owners assert that they wish keep the majority of them, some of which they identify as "specimen trees," and that this is the reason that they wish to build the pool and attached patio in the Town regulated Wetlands, rather than site the compound further from the water. Planning Board members observed that siting the structurers, pool and patio further from the water would require the removal of mature and desirable trees, specifically a large oak just east of the existing house, and that this undesirable destruction of existing landscape would more than offset the advantage of moving the pool and patio out of the Town Regulated Wetlands. The property owners are attempting to limit clearing of the land and consequent stormwater runoff.
<u>Proposed and Code required improvement and remediation includes:</u>
Collection of water from gutters in drywells to recharge the aquifer. The SCDHS Site Plan shows seven drywells and one pool drywell are to be installed.
Installation of a new I/A sanitary system will reduce nitrogen discharge and associated impacts, and removes existing cesspools in regulated buffer
Installation of automatic pool cover to limit evaporation and energy loss from pool when it is not in use. Installation of a cartridge filter to limit water loss from backwashing the filter.
Removal of structures from Vegetative Buffer; reduction of structures with the Adjacent Regulated Area.
In the past, the Town Board has required that patios within the Regulated Area be constructed on a sand base to permit some permeability, and we recommend that this be required for the pool patio. On a few occasions, the Town Board has requested perimeter trench drains piped to drywells to handle heavier down pours. If that is the case, the patio should be permitted to be constructed over a concrete base to ensure it remains level in the future.
<u>We submit the following recommendations:</u>
The applicant is removing all incursions into the Vegetative Buffer. Construction in the Adjacent Regulated Area will be limited to the swimming pool and associated patio.
They are improving the property with multiple positive mitigating items and appear to be environmentally responsive in limiting disturbance and keeping old growth trees.
With these considerations, the Planning Board recommends approval as submitted.
By: Ian McDonald, Planning Board Chairman Reed Karen, Planning Board Member

The Conservation Advisory Council reported as follows: Matthew Sherman, Sherman Engineering and Consulting, PA, the representative for COKID Invest, Inc. wetlands application. The application is to remove existing single family dwelling, decks, patios, septic system and retaining walls with the 100 foot regulated wetlands. Construct new single family dwelling, accessory building, decks, patios, septic system and other improvements outside of regulated area. New pool and patio within adjacent regulated area.

The application proposes work in the 75 foot vegetative buffer.....

Removal of all current structures.

The application proposes work in the 25 foot regulated area.

Voted six to nothing to approve with one minor recommendation, that the driveway be looked at to make sure that all runoff is captured with either a catch basin or swale and it's going down a bit of a steep incline and even a permeable surface might not catch all that runoff.

The Supervisor addressed the following question: So Matt I guess I'll address this one to you, just so the public understands this project, the existing house is within the setback, right; yeah,

actually and I've got a power point presentation I will go through and it will lay out exactly how the site is currently configured and how the proposed work would show it in relation to the current configuration and then the justifications as to why that proposed site design has taken the shape that it has, okay; right; I'm Matt Sherman, I'm with Sherman Engineering and Consulting, I'm here representing the property owners Katie Ford and Tom Bishop, they are also present, and then also Alex DeMesa, the architect, the design professional on this project, I'm going to share my screen so that I can give you an idea of what this project is all about, the site is just over three acres, a three point acre site on Ram Island, Coecles Harbor is to the west, Ram Island Drive or South Ram Island Drive is to the east, residential properties flank this property to the north and south, this is the property as it currently exists, the, again South Ram Island Drive, Coecles Harbor, this is the existing house, the existing driveway comes in on the southerly portion of the property, wraps around, the setbacks for the site, it's a double A zone so we've got a fifty foot front yard setback, a thirty foot side yard setback on either side and then the seventy-five and hundred foot setbacks from the flagged wetlands and we had Rob Herrmann of En-Consultants, went out and flagged the wetlands last January, January 2019 so it's a relatively recent wetlands flagging, all of the squiggly circles, we had the trees as was mentioned, I think it was the Planning Board memo, we had the trees on the site, this is a fairly heavily treed location, we had the trees surveyed and these are the actual tree surveyed locations with the approximate drip lines of those trees so if you were a bird's eye looking down at the site, this is what it would look like, the site, we've got two existing septic systems, one a little bit to the south, one a little bit to the north, they range from thirty-nine feet from the wetlands and forty-two feet from the wetlands, the existing house is sixty-eight feet from the wetlands, it's important to note too that the house was built in the late 1920's so it significantly predated the, predates the existing Code and the Wetlands Code at all for both the Town and the DEC, this is a little bit of a confusing slide but to give you an overlay of what we're proposing to do, the driveway is coming in at the same location, the main house as we're proposing is gonna be over top and slightly landward of a portion of the existing house, a proposed pool and patio are right here in the same spot as the existing house is, or a portion of it and then there's gonna be a proposed garage with accessory sleeping to the north of the site, the garage and accessory sleeping is a hundred feet from the wetlands boundary, the house, its patio itself is a hundred and five, the house proper is about a hundred and thirty feet from the wetlands boundary and then the swimming pool is eighty-three feet with the patio being seventy-six feet so everything is outside of the vegetative buffer, most everything is outside of the regulated area completely and then we're utilizing the existing footprint of the complying portion of the existing footprint of the house for the pool and patio, this is just kind of cleaning it up a little bit, making it a little bit easier to see so again, driveway coming in, parking, the septic system is gonna be on the landward side of the proposed house, the supply well is pretty much as far landward as we can get it, stormwater containment, we've got several stormwater drywells located throughout the property including a drywell as required for the proposed pool, we took the CAC's comments into consideration and the driveway which is permeable is gonna be pitched to come into these drywells here and this is really the concern, this area up here cause that's where the steep slope is and it's going to be about a two foot rise at the edge of the driveway, it's going to go up about two feet before we get back to the natural grade so this gonna be set into the grade a little bit so that's gonna act as a trap for stormwater that's coming in and then there will be a stormwater drywell there to capture that stormwater there and be able to recharge it so it doesn't spill over and get, have a chance of getting down here into the regulated area or down pass the regulated area and into the wetlands themselves, the proposed plan for the house itself, it's a two story house with a full basement, one of the comments that was made from the Planning Board during their special permit review was, they have one member who was concerned about the number of bedrooms and most of these properties, the number of bedrooms, we have to satisfy several different agencies when we're looking at designing a site and designing a house and a septic system, the seven bedroom house as this is proposed, it's not truly seven bedrooms, when we designed the septic system, we had to design it to Suffolk County Health Department standards and what the Health Department says is for a typical house, you can have a living room, a family room, a kitchen and a dining room, with the exception of things like mud rooms, laundry rooms, mechanical rooms, any other finished area they treat as a bedroom so for example in this house, in the basement, there's a pool storage and what could be a game room or support room for the swimming pool, it's finished space, it's not a bedroom, it's not gonna be used as a bedroom but when we're designing the septic system, we have to consider it a bedroom so for the sake of the Health Department design, we treated this as the seventh bedroom, then again the first floor is the living room, family room, kitchen and dining room, this area here that is open to below to the below grade entrance to that pool area, on the second floor, we've got one, two, three

bedrooms and then we've got a master bedroom suite and then a fourth bedroom here so we're labeling them one, two, three, four, and five, because in that master bedroom suite, there's a sitting area, it's not gonna be used as a bedroom but because it's an extra area that the Health Department doesn't allow in those number of bedrooms, we have to treat it as a bedroom for the sake of sanitary design so the house in reality is gonna have one, two, three, four, five bedrooms and not seven as we've had to design for the Health Department, the accessory building, on the ground floor it has a garage and it has an office and it has two bedrooms on the main level, each bedroom has its own bathroom so basically the way that this site was designed is in essence that it's a seven bedroom total, five in the main house, five in the main house, two in the accessory building, again because of the way the Health Department requires us to do our design, we had to call it seven and two for nine but the way it's gonna be used is seven, the office on that ground floor, in order to not have that be considered a bedroom, the Town has requested that we just put a half bath on that first floor, so that what we've done, the elevations, we've got the south and west elevations here, as you're looking at the site, you can see this is that basement entrance going into the pool area, the pool would be off to the left hand side, this is kind of where the pool would be on the other side, the north elevation and then the east elevation that we'd be looking at as you're coming in the property toward the house, the house is gonna be thirty-four feet from average grade, the Town Code requirement limits us to thirty-five feet, so we're gonna be a little bit below that and then for the accessory building, we're gonna be twenty-six feet total from the lowest point to the highest point, it's gonna be twenty-four feet or so from average grade, again it's limited to thirty-five feet, the area I was talking about before, about collecting the stormwater and making sure it doesn't go over the bank, this side of the north elevation, this is where we'd be looking down toward the water going in this direction, so this is where the grade's gonna be as it slopes away so if stormwater comes in, it's going to be stopped in this area and redirected back into that drain so it can't spill over that edge and get into the regulated wetlands adjacent area, here's some photos just to give you a feel for the site, lots of vegetation along the waterfront just landward of the existing stone wall, that stone wall, just showing that it's in good condition, it's been well maintained and it's been functioning as an erosion control device for the, for as long as any of us know about it, the DEC issued a letter of non-jurisdiction for the property, based on this retaining wall, the stone wall, this is looking at it from the other side, you've got obviously the harbor on the right hand side and the house and the road on the left hand side, looking up at the house, these plantings are going end up, the pool will be on the back side of where these plantings are, so the pool would be up in this area where the house is now, this is a rendering that the architect had put together to kind of give you a feel of the way it's gonna look, again here's that stone wall, this is the dock, this is those plantings that we had in that previous photograph and then this is the house tucked in behind those existing trees and then there will also be some other plantings put in to fortify and accentuate the plantings that are already here on site, so that's what I have for my presentation, I know that Alex, the architect had a couple of things that he wanted to explain to the Board with respect to the design of the building itself and some of site design components so I will mute my microphone and hand it over to Alex.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: good afternoon, I'm Alex DeMesa, I'm the architect for the project, as Matt mentioned, the owners are Katie Ford and Tom Bishop and are also on the call, should you have any calls for them but I will share my screen, I wanted to walk you all through a little bit about how we ended up with the current design, this plan is a slightly more detailed version of what Matt showed earlier, as he mentioned, the property has over two hundred trees on it, so we worked with a tree scientist by the name of Paul Kawi, he did a very detailed study of all of the critical root zones on the property and so all of the red circles that you see on this map indicate the critical root zone within which earth disturbance is not recommended, I've also highlighted some of most important trees on the property, in green, with probably the three most important are located north of the proposed house, there's a pretty spectacular set of European beech and red oak trees which I will show you on the map here, this is the google earth map, this cluster of trees here, it's a very mature set of trees, the trunk diameters exceed thirty inches in some cases, the red hatched in area, here is the location of the existing structure, as Matt said, it's currently within the first, within the vegetated buffer and we're proposing to put the new house behind or landward of the hundred foot setback, with the exception of the swimming pool which is located exactly in the footprint of the existing house here, as I mentioned, one of the main design objectives that the owners had when looking at the property was that we maintained as many of the trees as possible and so in doing so, that would also require the least amount of site disturbance, so by putting the

swimming pool in this location and taking advantage of the grade, of the existing house, we're really causing the least amount of site disturbance but it accomplishes their initial goal of really trying to preserve the natural characteristic of the site, which has such a unique component of what they're looking for, I think that's it; any questions from the Town Board; Gerry, I'd like to read the Planning Board's report for the special permit, I read the wetlands report, I won't go over the description of the property again, we've done, there's a couple of notes, one is that; Alex can you give up sharing the screen, oh sure; thank you; so they observed that the lot is more than three times the required lot size for A zone, no variance of setbacks required, they did note that the storage area between the stair hall and the laundry room should not be used as a gym or any other habitable area, if it is to be used, the second means of egress would be needed as well as an updated special permit, four Planning Board members supported the project as submitted, one Planning Board member is willing to support a seven bedroom project but not the additional two bedrooms; thanks Mike, Albert any comments; yeah sure, I'd like to speak to the accessory building, it's two bedrooms and two bathrooms on the second floor, the first floor office area, I mean, it's called an office but I think Suffolk County Department of Health would consider that a bedroom would they not; no they did not, they did not; but; they have already ruled on it; but in conjunction with the master bedroom, the sitting area, they would consider that a bedroom; yes, in the master bedroom, in the sitting area, yes they did; so I'm making the correlation between that and an office area with a half a bath, I think that was supposed to be a full bath wasn't it originally; we wanted it to be but the Town said they would treat it as a bedroom even though the Health Department did not so we said fine, we'll take out the, we'll make it a half bath, the Town said that's okay, that makes it so it's not a bedroom; okay, so we did that solely, basically on the Town's recommendation; I'm concerned that our zoning code allows two bedrooms for an accessory structure and you can make the argument, if it looks like a duck, it's a duck and that office, whether you're calling it an office or an art studio or an exercise room, becomes a bedroom and that's my concern, it's a third bedroom, it could be a third bedroom in an accessory structure which I would object to; I had a question with respect to pool in the adjacent regulated area, if you bring back up the site plan, there does appear to be space on the road side of the house, if; Kristina can you give me permission on that; __; and Matt, maybe I should bring up my __; here, I got it, okay this is probably the best one, if we brought the swimming pool over here to the landward side, the problem with that is that is where our septic system is going and we've got to be at least twenty feet away from the septic system for the swimming pool, so we can't switch it over to the other side cause what that ends up doing is that pushes the septic further out, the Health Department doesn't want us putting the septic system in the parking or driveway areas and now it starts getting further and further from the house which creates problems and then also issues with problems of damaging trees due to the excavation and the work associated with putting in the septic system, does that answer the question; yeah; okay; any comments from the public, Kristina you've got to watch both screens, Nelson, you have to unmute yourself; I'm the owner of residential property where the accessory building is going, so our concern is homeowners there can, like Mr. Dickson brought up about the third bedroom certainly, cause it does look like a third bedroom and absolutely the runoff considerations is one of our biggest things, we have well water there, this property has remained vastly unused for, well since Dr. Garcia died so what are we talking ten years and now it's gonna be used, the plan would be to see the property developed but are very very concerned about water runoff onto our property, it's happening already, there's evidence of it on our property and with this coming so close to the property line, that's our major concern, __ one drywell, so that's a concern, is that gonna be adequate because the land does pitch so severely there; I take your point and fortunately because we're gonna be doing this work, we can adjust and correct areas where on that northerly part of the property that is running off over on to your property so what we can do is as we put that driveway in, is we can pitch it away from your property so that any stormwater that is landing in that area is either redirected to that storm well or into this property toward the southwest so we don't have to collect all of the stormwater in the drywell, we would actually, we would like to collect the least amount reasonably possible in stormwater drywells, cause in doing that, when you put stormwater into a drywell, you're injecting it into the drywell eight and twelve feet below the grade, so you're losing a lot of the quality of the soil that's gonna help clean that stormwater so if we can redirect it into the property so that it recharges naturally from grade down just getting it away from your site, that's the best scenario for everybody and by putting this driveway in, regrading to a certain degree as we can on the driveway, obviously we're limited to how much we can do in order to not damage any more trees or an more natural vegetation than we have to but we can do some tweaking and some adjusting of the grades to help protect you and your property; Matt you put together a stormwater plan; yes; ___; I've got one already, I didn't put it in the plan just because it was a little

bit too busy but I can have that for the Board at the Tuesday meeting; we currently have a problem from the Ram's Head Inn and that's another problem we're gonna have to ___ cause it's never been correctly addressed ever and now that that property has also been sold, you can imagine here we are, the property where the water is gonna flow from these two properties into ours and that of course is out primary consideration, not that that is pertinent to this conversation but what I'm saying, that's what I want to understand, that along the way, I don't know how you check these things and how it's gonna affect our well water or runoff; so let me, can I chime in, I happen to be his sister also one of the next door neighbors, the fact is that the well point is at the house so it is at the lowest level of this piece of property and I can assure that over the eighty years that we have owned this property, we have graphs that show how much soil we have lost over years from the natural erosion with no disturbance to those __, nothing happens, just naturally because where the road is, that's the high point and we happen to have one of the lowest points on the shoreline so we are constantly shoveling soil out of our driveway and have been for decades because of the wash off from the property to the south of us and also property to the north to some degree but that's not of any concern so I noticed there is a concern of the CAC, I'd like to see the Board talk to that further, I'd also like them to come and take a look at the property, I am also concerned that the driveway that's going to be installed to accommodate this accessory building is gonna be some kind of pervious material, it's not clear in the plans what the driveway is gonna be made of, if in fact if some kind of rubble, I can now see myself having beachfront on the south side of my house which is not what I've ever had before, the other part of consideration I have is, well, is the drain on the water at capacity, how many gallons of water will be talking about in usage, there's nothing in the plan that state __ as the irrigation system that I know exists on the property, is that going to be grandfathered in and will that be up and running as well and I'm also concerned about the third room in the accessory building as well as the prospect the basement could be possibly permitted to be living space at a later date in the main house, I'd like to see some kind of restriction put on that so that that doesn't happen so that's there'll be more drainage on our water on Shelter Island and understand that I am a conservationist, that I know how much people on Shelter Island have been battling water issues and drainage on the aquifer, Menantic Colony is a perfect example, the larger the houses there are, the more water they need and they are running out of water, the other thing that I'd like to say is that the size of this house is not anywhere near any other house that has been built on Big Ram to my knowledge and certainly not on the eastern coastline __ a house greater than six thousand square feet, I'd be curious to hear about it, the Town Code say six thousand square feet, I'd like to see us sort of enforce that, enough is enough; if I could address that last issue and I sympathize with a lot of the issues that you've been having with sites flanking you for however long it's been going on, this is and unfortunately, obviously the status quo isn't working for you guys, so this is a good opportunity for us to work together to make sure this site development benefits everybody but also on the six thousand square feet, it's a popular misconception that the Town Code says you can't build more than six thousand square feet, that's not the case, what the Town Code says is if somebody wants to build more than six thousand square feet, they're required to get a permit to get a special permit from the Town Board for just this exact purpose, for this discussion; I'm absolutely aware of that; okay; I'm absolutely aware of that, I'm not questioning that but there is a reason why they decided that in two thousand and ten, I believe in two thousand and five, the Town Code had changed and said that eighty-five hundred square feet was a practical number and then in two thousand and ten they threw it back to six thousand, there was a reason for that, I'm curious about how many houses have been given permission to be built since two thousand and ten that have been greater than the six thousand square feet recommended, which by the way is recommended by the Town to keep the charm and allure of Shelter Island for who know and love it as we do, there's a reason the Town Board has made that decision, __ has changed twice, you know and I know for a fact that the comprehensive plan had addressed it in 1993, I've read that pamphlet, I can't tell you how many times, so that's a concern and for us personally, it's a ___for water usage; water usage and water runoff onto the property; I think one of the things you have to understand with the house size is, the whole concept is if the land can hold it and this is a three plus acre parcel, it's not a one acre piece that's gonna be border to border, from setback to setback, so that is one of the considerations that we look at when we do special permits but that's neither here nor there right now, anybody else have a comment; hey Gerry, it's Julia Brennan from the Shelter Island Gazette, could you please as people who are speaking at the public meetings to provide both the first and their last name cause a lot of people here are only identified by their first name; sure; thanks; I'm Nelson Demarest and my sister Pam Demarest is here and my mother Carolyn Demarest is also here; I'm here; anybody else want to speak, again Kristina are you watching both screens; I didn't read it but Gerry, in the Planning Board comments on the special permit,

they stated that while this house is larger than the nearest residences, there are a number of houses on Ram Island and Little Ram Island that are above the six thousand square foot threshold and larger than the eighty-four seventy square foot being proposed here that were approved by the Town Board on the three plus acre property, can you support a house on this size, that was the Planning Board's comment on that; last chance, anybody else; no; I am the mother of these kids, this is Carolyn Demarest, I want to make it clear to our new neighbors that nothing we are saying here is personal, that we are concerned about the aesthetics of Ram Island, we are concerned about the safety of our property which has been in this family since 1936, we are the only owners of that property and we've been trying to take care of it but we don't want to see it washed away so I hope we can make some agreement there about that auxiliary building which is really a major concern, I appreciate the fact that you'd like to have an auxiliary building for whatever purpose but you do have three acres of property so if you could think about putting it someplace else, _ coming along the bank and eroding the bank further where our properties do abut, I appreciate it, thank you; do the homeowners want to say anything; hi, I'm Katie Ford, I've been on Shelter Island also a very long time, not eighty years but I've been here since I was twenty-nine and I'm sixty-five and I appreciate your concern, I think we've met all the legal requirements and we don't want bothering runoff either, everything we've done, we've been two years trying to make sure we conserve the trees, that we don't pollute anything, I've lived for the water so you can imagine I don't love water running down either, right now we have a problem because there's asphalt and it __ on the other side of the property but we understand that problem and so we're gonna work to make sure that doesn't happen, I'm surprised to see all the Demarests, we've been living here for two years and I think you've only been here a few times and it's so nice to see you all; good, we're pleased to meet you as well and I can tell you the times that I have been at the house, I've seen Tom out there over the last couple of years you know and mapping the trees, I see a great deal of care and consideration of the preservation of the landscape and as a landscape designer, I completely respect what's going on, again as part of my concern, what is this gonna look like, how is the aesthetics to it in terms of the landscape design, no room for anything, it looks like we would have to do something with our property and I'm sure you're aware, I'm gonna have to check that property but you're building that accessory building right next to where our well and trash and wind system come up on the property, so that doesn't even afford us the ability, does it Katie, do you know; it's farther up, it's way up and it's in, __ the trailer up right on your side of the property line; okay; down below, quite far below, I can't imagine how far it has to be, a hundred up; okay; can I suggest that you guys get together and discuss this; I don't think so, I think that we should feel that the Town; I don't mean our issues, I mean your own issues, the Town issues are the Town issues but; runoff is the Town issue, correct, what are they, yes, we've acknowledged that and we'll talk about it on Tuesday; okay; absolutely, anybody else, okay we'll close that hearing and we'll talk about it Tuesday.

The Supervisor declared the public hearing closed at 5:32 p. m. and called to order the public hearing to be held as advertised on the application of Stuart Israel, 22 Merkel Lane, for permission to install a mooring in Smith's Cove at a location designated as 41.05035° north and 72.31703° west; said mooring location was formerly occupied by the O-3362 Carragher mooring.

The Town 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. The Supervisor reported that Jim Colligan is not here, he's usually here to give the Waterways report, James Eklund is here; I've got it; you say you've got it; I've got it, the application is to take over mooring O-3362 formerly Carragher, the WMAC approved the application.

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 5:34 p. m. called to order the public hearing to be held as advertised on the proposed Local Law concerning weight restrictions for Serpentine Drive.

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

Correspondence included the following:

1. A letter from the Shelter Island Country Club agreeing with the proposal to amend the law.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Stella would you like to speak to the, we went over it all in the work session; I'd be happy to answer any questions.

The Supervisor declared the public hearing closed at 5:37 p. m. and called to order the public hearing to be held as advertised concerning the proposed use of Community Preservation Funds for the Fresh Pond Water Quality Study.

The Town 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: thank you, as you say, it's been an ongoing process, this is __completion, the Town along with the neighbors, worked on getting a thirty thousand dollar state, New York State grant, we have the grant, we actually have to use that grant this year, the Town has to use that grant this year for a study for remediation ___ this pond, the neighbors have raised fifteen thousand dollars to add to that fund and so this is the completion funding for an approximately sixty thousand dollar study that the Town engineering department, the Fresh Pond remediation committee and the neighbors have worked on and developed over a number years; and the reason for the hearing is we want to authorize the use of WQI funds; to complete that last portion.

The Supervisor declared the public hearing closed at 5:39 p. m. and opened the hearing on the application of Francesca Bang/Gerry Gleich, 5 Charlie's Lane, for a wetlands permit to demolish existing residence and porch, remove driveway, existing septic and well, construct new two story residence, porch and second floor deck, associated steps, patio with grill, storage shed, drainage, IAOWTS, pervious driveway, new well, propane tank, air conditioning unit and outdoor shower.

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

The Supervisor called for a report from the Planning Board, which was as follows: Mike do you have the report of the Planning Board; yeah I do, so the applicants wish to demolish an existing fifteen hundred square foot cottage, two hundred forty square foot of porch patio along with moving the existing septic system and driveway, then construct a new two story, three thousand forty-four square foot house with a thousand square feet of deck and patio, the thirty thousand four hundred and thirty-six square foot property does not conform with the C zone lot minimum requirement, the forty thousand square feet, existing and proposed house comply with all other C zone requirements, the existing 1950's cottage rests mostly in the seventy-five foot vegetative buffer and what is not in the adjacent vegetative buffer, the closest point to the bulkhead which is the wetlands line, is forty point eight feet, the new house will have a footprint of one thousand six hundred and sixteen square feet, a first floor deck with three hundred and ninety-nine square feet of forty-four square feet of outdoor kitchen and five point nine two square foot second floor deck, the house will be fifty-three point four feet from the bulkhead, further landward, however there is no intrusion into the seventy-five foot vegetative buffer with the corner of the house and outdoor propane tank, they received a letter of no jurisdiction from DEC, Suffolk County has issued a permit for five bedrooms, IA sanitary system, November of 2020, utilizing a pressurized shower drain field, the Planning Board members visited the site and made the following observations, the new house will be in keeping with others in the neighborhood, with regard to trees, they want to remove the two leaning towards the house and most of the rest would be in the way of construction so we don't have a problem with them being removed, the bulkhead which is in good shape, juts into the property like an arrow which not only contributes to the interesting shape of the property but shrinks the buildable area of the lot that can be compliant with wetlands setback, we question the accuracy of the seventy-five and one hundred foot bulkhead wetlands setbacks, the bulkhead is linear in two directions but the depicted setbacks are curved emanating from a single point, the intrusion calculations should be re-examined, existing oil tank is above ground and in good shape, their conclusion, we appreciate the applicant updating the septic system going from two cesspools with no tank in vegetative buffer to an IA system with a pressurized shallow drain field completely outside the regulated area, the addition of stormwater recharging drywells is also a great improvement, from the plans, it is clear that new construction is proposed in the seventy-five foot vegetative buffer that it is outside of the existing footprint, this intrusion appears to be greater than

this intrusion appears to be greater than one hundred square feet, we have reached out to the applicant to find out exactly how much and we are waiting for a response, the Town Code is very clear that there shall be no reconstruction with expansion beyond the existing footprint in the regulated area, with this consideration, we cannot approve application as presented, we believe that the house could be moved landward and possibly rotated, so that its intrusion into the vegetative will be minimized, the propane tank should also be placed landward of the seventy-five foot setback, Code permits a one hundred square foot exemption within the vegetative buffer, perhaps a combination of shifting, rotating, minimizing the additional intrusion and utilizing the one hundred square foot exception will bring the project into compliance, it is also important to note that this property is in a sensitive groundwater area and the homeowners may have difficulty accessing potable water with the new well, that's the Planning Board's report.

The Supervisor called for the CAC report: do we have the CAC report; actually I have the CAC report, that one I found, so I won't go over the, well guess the information here I should read, construct again, a new two story residence, porch and second floor deck, associated steps, patio with __, storage shed, drainage, IA system, pervious driveways, new well and propane tank, AC unit and outdoor shower, I won't go over what's in and what's outside of the areas, which was discussed at the March eleventh meeting of the CAC, they voted unanimously, six, zero to pass a motion recommending the Town Board reject the permit application, the reasons given for rejecting the application are, violation of the seventy-five foot setback, siting options exist outside of the seventy-five foot setback, __ vegetation, fifteen existing trees are being removed from the site without any guidance given to the vegetation on the site, no mitigation ideas given to address the reality that this property floods during storms, the size of lot is too small to justify expansion on this environmentally sensitive peninsula, that's the CAC's report.

The Supervisor called on the homeowners; hi, my name is Daphne Vaughan from Surfside Environmental Planning, I'm here representing Gerry Gleich and Francesca Bang who are also on the call, Nicole Adams who is the architect on the project is also here as well, just to introduce myself to the Board, this is the first time I'm presenting to you here on Shelter Island, my name is Daphne Vaughan, I'm the owner of Surfside Environmental Planning, I've been in business for ten years, prior to that I worked for another private consultant in Southampton for two years and prior to that I was an environmental analyst, actually quit working at Southampton Town as a senior environmental analyst for the Town conservation board in Southampton, so I'm not a stranger to wetlands applications, so a lot has been said that I was going to discuss, is it alright if I share my screen; absolutely; okay, so we have prepared this lovely comparison, so here, this is the existing residence and over on this side, this is the proposed project right now and this red outline is the current structures that are there and this showing, the blue is the roof portions of the house and the, let's call it pink, is the deck and porches and this is the stairway to access the second floor deck with an outdoor kitchen, so the property is located in the C zone, we have already talked about the size, it's point seven acres, there is a functional bulkhead here which is the wetlands boundary, it is an odd configuration, it is an arrow as the gentleman stated, it is functional and fronting on Menantic Creek, there's currently the one story residence, this portion over here is a covered patio with a roof, there's also a portion that we have an enclosed porch, so the footprint is one thousand five hundred fifty-one point nine square feet and it's forty point eight feet currently from that pinch point of the bulkhead, the aerial of the property which I can show you, so going back to 1978, the house is kind of difficult to see but it is the same house; it's not showing it, you're still in the, your start at the _; stop share that maybe; there we go, so this is 1978 and the house is right around here, let me go right to 2001 and share that, everybody can see this; yes; great, so it's the same residence that's there right now, let's go back to the PDF, okay, sorry about that, so for the past sixty years, aerials are showing the same virtually the same, the same configuration that exists to date, so the property has conventional cesspools, they are currently located on the landward side of the residence, we are proposing to upgrade that with an IA system at the furthest possible setback of the Health Department requirement for one hundred feet or greater from surface water, five feet from the property line etc., these circles that we're showing are the ten foot radius necessary for the structures to be maintained away from the sanitary system for the Health Department requirement, the owners did receive a grant for the installation of the system as well as Health Department approval, you can see here the __ is the blue line that on the seaward side, it's at eight and five and the landward side it's at X zone, so the house that's existing, so the house that's existing is not in a flood zone and we're moving it approximately and we're moving it approximately thirteen feet and change further from its existing location so there are no FEMA requirements for the construction

of this new residence that we're proposing, it's a relatively flat property so we don't have to worry about any steep topography or runoff due to that topography, we will be installing drywells for the roof runoff, they're not shown on this plan but they are shown on the survey that we submitted with our application, the property does contain a number of existing trees, these trees that are highlighted on this plan are the ones that we are proposing to clear in conjunction with the demolition and construction of the project, the area between the existing residence and the bulkhead is primarily zoysia grass right now, we have not proposed any non-turf buffer as has been my experience that this is something that is usually discussed and negotiated within the permit process so we are here seeking the advice of the Board as to what would be acceptable for a non-turf area landward of the bulkhead that would be planted with native plantings and we could provide a plan with the specifics of that, so then the new project includes a pervious driveway, right now there is an asphalt driveway which is kind of jutting toward the water, it's kind of old and cracked, it will be removed as part of the project, we're seeking to move it more upland and closer to the eastern property boundary so this way the ingress and egress of cars will be as far away from the water as possible, will be gravel, so we don't expect there to be any runoff generated from the driveway per se, so the footprint of the new residence is eighteen hundred ninety-one square feet so it's about three hundred and change square feet greater than what is existing, as you can see on the existing plan there is really not any decking or area for the owners to enjoy the waterfront, it's just this covered porch right now so the extension of the decking is an important feature of the project cause it will keep the family essentially, give them an area outside to use table and chairs as they whatever would like to, to enjoy their waterfront, the kitchen area is basically a pervious gravel area that they will put a grill right tucked into this stairway to access the second floor decking, the storage shed over here that they will utilize for whatever amenities they need cause there will not be a basement, there will only be a crawl space underneath the house, let me check my notes cause like a lot of things I wanted to say has already been mentioned, so the floor plan, let me see if I can share those, okay, here we go, floor plans, this is an elevation drawing of the house, so this is the first floor, so you can see the majority of the first floor is going to be an open area that would be kitchen, dining and living area with a master bedroom suite, master bath, closet, and then there's an entry on the side of the house and an entry on this landward side of the house, it also has a powder room and the mechanicals and laundry, all located here, the master bedroom a little bit up onto this covered deck and the living area will open up onto this covered deck, there's a second floor deck, so upstairs you'll have this decking that's partially covered and then open, there are three bedrooms with two baths and then there's this rec room that has bunks I guess for the family's children to gather, so this is the shed, rather small shed, so these are some of the elevations of the house, utilizing the windows, taking advantage of the views, to me this is pretty modest as far as expansions go, there's not a lot of opportunities for change based on the constraints of the sanitary system, let's go back to that, so to keep the house as it is, there's not really a ton of opportunity to change the location of it within the confines of the sanitary system, there may be some opportunity to shift but this pinch point of the bulkhead is not going to be super helpful, we have taken a look at that; Daphne can I first talk about why the house is the way it is; oh absolutely, I let Nicole _ it; hi my name is Nicole Adams, I'm the architect at 5 Charlies' Lane, I live in Sag Harbor and I just wanted to, I've been working with Francesca and Gerry for about a year and a half now, I just wanted to explain a little bit why the house took the form that it did, it wasn't kind of just willy nilly, the property that I think that you all know, has been in the family for a long, long time and when Gerry came to me, it was their desire to create a net zero, or near net zero home so that's why I conveyed to you some of the aspects of that proposed house because I think that will explain why it is situated where it is and how we can work and get it to a better placement, so as Daphne said, the house is three thousand square feet, it's four bedrooms, two and a half baths, there's no basement, the total proposed lot coverage is two thousand seven hundred square feet, eight point nine percent of the overall lot area, and if we obviously don't have the ability to use geothermal on the Island, we relied on a really tight building envelope and solar panels to create a structure that would really touch the earth lightly and that was our intent, the whole house, the roof, the walls, the porch, are all made of thick panels structurally, insulated panels with an R value of thirty-eight, our windows are triple glazed with a U value of point one six which you know you're not really gonna get through a lot of windows, we realized that our best way to get to a near net zero house was to harness the solar energy and to use the real estate of the roof to get the most solar panels that we could so we worked with Green Logic and we tried to set the house, we tried to really move it back as much as we can but as you can see in this area over here, also grab this bit of sun, obviously not wanting to take down more trees than we have to, the trees that are on this site plan that are ___ to

kind of being taken down are not all the trees, just the ones to be eliminated so, and in this way we were able to optimize this whole real estate and get a thirteen thousand six hundred plus watt solar system, solar panel operation on this house and that was a really big consideration for us, at the __ that this was submitted we started I think in September, we put everything on our site plan, I think we were just told to kind of put whatever we could possibly put, at this point we are completely no fossil fuels so there is no gas tank, we were able to go through the mechanics with the mechanical system and with five solar panel arrays on the two roofs that we've __ as well, for the orientation of these two roofs, where we could get the solar array, with the solar panels we can have a total air force heat pump heating and cooling system, so that was also a reason for the siting of the those two structures as opposed to a wall, a wall structure that could front in that, just put in that setback, so other considerations, I guess one has already been brought up but I just want to make sure that they're clear what this new IA septic system, go back to that first, our existing well is over here and when we were designing our septic system and that seemed like the best place to put it, we noted or our engineer noted that our well was well within the definity of a neighboring septic system so somebody brought up, maybe it was the CAC, first time that we might have trouble, and that was a little alarming to us cause somehow how our well goes to maybe fifty feet to I think really, we can figure that out so again the driveway got brought up, we wanted to move this driveway over, get that as far away from the water as far as possible, and with regards to the flooding, I know, you know, Francesca and Gerry have mentioned that __ water up by the house, so they are very concerned about that so even though ___, out first floor level is three and a half feet above the base elevation of this zone, that's a foot and a half above what you would even recommend even if __ so that along with the drywells and the solar panels there was a concern for the site, I don't want it to be that we just popped this thing down there without any thoughts, the, and also the consideration of not having any basement, nothing in the basement, all the mechanicals are above on that first floor, that foot and a half above the neighboring flood zone so those are some of the considerations, I don't know if they came through on the drawing, also this is kind of a misrepresentations of an outdoor kitchen, it's a place to put the barbecue, so I know at one time we had gas and then at one point we thought we would have to but that will be a free standing __; Nicole, does the proposed IA system meet the Board of Health requirements for setbacks from the neighbors' wells; it does, we had to you know, locate everybody's well in the area and it was actually and they had to find everybody's septic and we have it on our plan, I'm the one who is doing all the talking but I can send it over, everyone's is located, yeah; and the only other question about the IA is how did you qualify for a grant if it's new construction; Francesca, I guess because she's an existing homeowner; yeah; I don't know, James did you want to speak to that; we claimed the water from the Suffolk County grant; so it's the Suffolk County grant; they didn't come to the WQI for a grant; oh okay and since then Suffolk County has changed their __; no they still get a grant but as of July they are going to grant installation of an IA on any new construction; thank you; same as Shelter Island; right, thank you; Nicole, can you zoom in on the chart there that shows the lot coverages in the area; yeah we did a little you know just to, we did compare what, I don't know if our map makes sense but the existing, we kind of did the existing lot coverage a total roof area just by square footage and a percentage of the overall lot, what portion of it was within the fifty foot set back, what was within the seventy-five and what was beyond the seventy-five and then we did the same our proposal and I just broke those down really __ cause some things are more important than others, anything is roofed, right, is a big concern and then things can, water can pass through so we just broke it down just to be able to show you percentages and numbers of where we're replacing things so there is, we do have this one point eight of the overall lot within the seventy-five foot setback but the majority of our structure is beyond that; yeah so the overall lot coverage is eight point nine percent of the property where in my reading of the Code it says you're allowed forty percent; right, I know I have that on one, I have that on the front page with the __, twelve thousand square foot coverage; so it's really going from five point one to eight point nine so to me it's not a significant increase in the coverage of the property, right how what's existing is just the house as I mentioned earlier, there really is very little opportunity for outdoor entertaining on a deck; one other thing I wanted to say about that, we absolutely did the orange pinkish area, we definitely have enjoyed the area and being out there in the front yard when we have time, but there is also this desire to you know, get some kind of control over the sun and so there's a lot of __ and screening if you can see on, let me see if I can go back to the first page, to kind of you know, keep the sun from really penetrating the house too much causing a big strain on the system and so there's this kind of desire to not call for too much __ on the house, so basically that screening is also doing this, protecting the house; one thing we need to think about from, as far as the

wetlands setbacks go, the relevant numbers here are what's within that seventy-five foot zone and then what's within that hundred foot zone so you might want to break that out before the Town Board discussion on Tuesday, okay, can I just ask you, does that mean, okay so this is; the seventy-five foot line and hundred foot line; okay so could we cut to the chase here, it doesn't seem like it's that big a deal, I mean, it's all relative, to go to move it back out of the seventy-five foot setback, I mean as an environmental planner, you know, did you look at that; well there's really not a lot of opportunity to move it significantly, we could size down a little bit and shift it back; to me, to give you a separation from the ten foot radius for the IA system it seems that you just about get out of the seventy-five; well then we can hug that line off of the ten foot, I don't know if it's going to fully take everything out of that seventy-five foot but it should take the majority of the roof structure; I think what I'm getting at is, to me it was clear from the Planning Board and the CAC that the setback isn't being addressed at all so I think you know, the DEC has a seventy-five foot setback, Shelter Island has a hundred foot setback, by and large, we've been working you know, when we can, within the seventy-five foot setback but we're not even trying to meet that here; well the DEC issued a letter of non-jurisdiction on this because there is a bulkheaded property and the bulkhead is pre 1977, so there's issue as far as the State is concerned and; but there is with the Shelter Island wetlands; no, I understand; and there's no provision for bulkheaded rights, I know in Southampton there is a fifty foot; no; so Shelter Island doesn't have that; no, if anything, Shelter Island is more restrictive, again, we went to that hundred foot; okay; we entertain the seventy-five, I don't know Bob, did you want to speak to that; I think I, that was pretty much what I was talking about earlier, just that we really need to see the setback lines bad on the Shelter Island Code which is seventy-five and a hundred; okay; before Tuesday's meeting could we get a copy of the PDF because it's more illustrative than what we had received with the wetlands application; sure, yes; hi, I'm Francesca and; Nicole could you stop sharing so we can hear everybody please; sure; thank you; I'm there somewhere; yeah I see you; hi everybody, so the existing house which we've had since 1976, I gather you all have seen it or know what it's about, it's kind of at the end of this you know, productive life, we wanted to upgrade it and I thought we were doing this great thing by trying to make it as close to zero as we could and moving it further away from the water and doing all these other things which I've been spent a lot of time doing and putting a lot of effort into, so, granted, I've never done this before and it's very hard to get information, I thought this was going to be cheered, it's a very difficult process here, I just want to say that and we're really dedicated to making this you know work and for you to see that for a lot of small homes and there is, and there are a lot of them on the water in Shelter Island, we all know that, there's got to be a way to do this in a good way, you can't just sort of deny everything and say well it's gotta be you know, there's a lot of these little houses, I mean we could just leave it there and we'd end up, but the thing is the house that we're proposing is going to be a lot gentler on the water as it is now, than it is now, water and everything else, the actual building of the home, because it will require a lot less trucks and time and those things that we really don't take into account when you think about the use of fossil fuels and all that stuff, so that's just my comment; I would say, this is the first time we're seeing how you're building the house and we have to definitely commend you on that but the Town Board in the past has really not denied anybody, we kind of bend over backwards to help everybody and Albert, as a Board member has been pushing us on this for quite a while and Craig from the CAC, same thing we make recommendations but the Town Board doesn't listen, so Albert and Craig, I'd invite you to speak if you want for this whole concept; Francesca, could you describe what is immediately existing, what's the layout of the existing house; you know, I don't know how long it's been there but it was built as a boathouse for Charlie Huschle's property which encompassed that whole point there at the end of Menantic Creek; Tarkettle; and you know we actually, Charlie and Grace were little children when we bought it there and my dad bought it as a place to put his sailboat and it was a simple vacation home, he spent entire summers there and we spent as much time as we could with my mom, I don't know if any of you knew Frank and Ruth but; I don't mean to cut you short, I'm interested in the layout; in the layout now; yes; I can speak to that, it's a one story house that has a master bedroom with a small bathroom on one side, there's a sitting room in the center of the house, and on the other side of the house there's a small kitchen, two other bedrooms, another bathroom and then there's a screened-in porch that also is used as a bedroom when we have enough guests there and then there's a covered porch area so it's basically a box, fifteen hundred foot box with a little bit of an open area in the middle looking out to the water right on the bulkhead and there's a grassy area to _ when you're looking at the water; okay thank you; Craig; sure; I'm the co-chair of the Conservation Advisory Council, I've been there a few

years and we denied it six, zero, when we start to talk about the environment, I think everybody has a different stint, I'm passionate about trees, I don't believe that every tree needs to be retained, so you made a compromise here you thought was very, very environmentally conscious to open your __ and allow light in as where you could use solar to the best of its ability where I see that as a loss of some large, large __ system, you also like stripping the trees, strip the ability for that land to hold itself when the next Sandy comes, this is not a huge issue, it's something that worked around but it's compromises we all have to make and I respect and appreciate that you thought solar was the way to lead a more sustainful life and have a more sustainable home, we were working very hard to try to come up common sense scientifically backed thought processes that say that is the way we think balance should go and one of the things that we do is we say you can't remove vegetation within the seventy-five foot buffer and so just some of those trees marked to be deleted, to be taken down that are twenty-four inches and greater is you, so immediately it says so what are you gonna do to replace that, get stuff that doesn't produce a canopy that __, there are other concerns of the CAC like we don't understand why you'd be burying anything, I think you'd have a buried garbage collection, it doesn't make sense, to me we had that wrong, we only can do so much with each of these plans but I also, to go down to the idea that you sort of, for us to go forward you broke a cardinal sin, you're in seventy-five foot, can you get out of it, we think you can but certainly we want to learn from your experience and we don't want this to progress this far before someone notices that seventy-five foot is the __; yeah we would like to, I guess there is a little frustration about the process, because to sit down with you a year and a half ago, we would have been amazed, right, but there was a process to get this all in to get to the Building Department before being denied so there's no ill will here, you know there's no__, cut those trees down, none of that is here, I would love to have been able to and hopefully we can, to talk about that and what do you want vegetationwise, we want to give it, we just don't want to say __; I'll also say that there's a misconception about the trees that were cut down, none of them were actually shade on the area where there is solar, none of those trees; for that reason; were for that reason, that meant that some of the trees outside the seventy-five foot range were actually dangerous trees: ___; that don't even need to be there and our neighbor could actually probably speak to that as well but so we didn't make that tradeoff of cutting down trees to gain solar, that's not any of what this is about and the process is really a big part of the problem because we didn't even know that the CAC were actually talking about our project, we had no clue until we read, somebody sent us from the Shelter Island Reporter; yeah, __ actually; it was kind of a very bad way to find out that you didn't have communication with the right people when you're trying to do things the right way so that's where the frustration comes from and I totally understand where everybody is coming from, we're on the same team, we want to protect the environment; Gerry I'd apologize for the Town Board for that we've become very aware of that and we're trying to put it so that we can have preconstruction meetings with all the parties that need to be included and we actually started that so going forward we hope to make it a better practice, it doesn't help you but it's something we've become very aware of; that's good to hear; thanks, just before; there are two oaks that are still on the property, very large and they seem on the plan to be removed, can you explain why those need to go; the largest oak tree actually, if we move that house a couple of inches away from the seventy-five foot, towards the seventy-five foot range, that oak will be right in the middle of the house, I once rented a house that had a tree in the middle of it but I don't I don't think, unfortunately that is a tree that just can't be able to build a new house or even fix the old house with that tree so that's one of them and I'm not sure about which other tree you're talking about but there are probably ways that we; work around; work around some of that and our builder has said that he would be able to work around, putting the drywell in a slightly different place and so there are ways that we can do this but we just need; there are other trees on the property also down towards the road, there are other trees; and you know, honestly there are , I would like to plant more trees for shade for use and we can look into; we can do what's ever prescribed; yeah; thank you; well I think we're just kind of seeking some guidance from the Board as to what would be acceptable for vegetation, we can do our best to try to tweak this to move it further away within the constraints that the system has given us and see what we can come up with but I think that we're still going to end up with some portion of the less than seventy-five feet which would be the majority of it would be decking which does not exist right now; Meg; I was one of the Planning Board members to do the site plan review for this property and the primary concern that we had was that there was new intrusion outside of the existing foundation into the seventy-five foot area and there is space to move that outside of that seventy-five foot area, the trees weren't so much a concern for us cause we did recognize that a lot of the trees were dangerous, you know, they have, they were dangerous, they need to come down,

some of them are leaning towards the house, some of them will be in the way of construction, I do acknowledge that, I love trees but sometimes it's better to plant new ones, you can shift the shed, you can rearrange the driveway, there are things to do to pull, I think it's like fifty-six feet of that space outside of that seventy-five foot zone cause you are allowed a hundred foot you know, I believe it's a hundred foot, correct me if I'm wrong, intrusion into that area so right now, if I read the numbers correctly, it's about a hundred and fifty-nine point something square feet so you need to pull about sixty square feet out of that zone and then you can use that hundred foot, square foot __ but there are ways to make it compliant, unfortunately you just missed it when you read the Code where, it just didn't compute correctly onto paper but a little shifting should be able to at least bring it into compliance; just to clarify that hundred square foot exemption, what that is, is a one-time thing that you can __ without a permit, it also doesn't matter, that also accounts to putting in, taking, whatever, any work within the area so even removing a hundred feet of stuff that's already in there would burn through that hundred foot exemption, the, one thing that might be useful to know here just from the value and standpoint is what the current square footage is of the present building within that seventy-five foot line and what the proposed square footage of coverage of the new building would be __; yes, so we have that; could I just ask Nicole to just speak to the issue of a basement and slab and how it's, how we're trying not to disturb the ground and also you know, that last question; what about the basement; that we're not really digging a basement, we're not gonna have a basement, it's raised; it's the conservation end of it, a conservation concept; right, so I think that what __ was asking, was pointing out that it's a hundred square feet beyond what's already been in that area that's been protected, right, so we are not digging deeper or we are not making a basement that we've talked about but our diagrams that we showed today that we sent to the Board for the meeting, I think we'll really talk about those square footages and explain how much, what we have above and beyond that, I'm not looking at it right now, that hundred square feet, __ I'm not a hundred percent sure, I didn't know __ about that; what's your depth to groundwater; it varies, I believe it's six point eight feet, about seven, that's six point eight feet so within the property it ranges between four point two feet and eight point four feet overall with the changes in the topography; and that's with the existing well, what is it at the existing well; I'm not sure, there's just one test hole and I don't know what it's at, I don't know if it was at the existing well, I think the test hole was done further as marked on the survey; I can't find it Nicole; if you look, test done by McDonald's April 23rd, 2020, and it was done, seventeen feet to water, seventeen feet to water, water is six point eight below the surface and the big X, circled, I'm not a hundred percent sure; water is basically at zero the way he's got it shown so the well that we're proposing is at approximately five feet, a little over five feet I would say so water can be about five feet down from the proposed well location, now it's probably, the well is about ten foot elevation so it's about five foot and change in the well location area; and what was a little fuzzy, the setback or the well; can I just show you, when we, I can just show you that if I can share, one of the reasons why we're moving the well is when we got our existing survey done and had to locate the existing sanitary system, we saw that our well, I don't know how long it's been there, it's very close to another sanitary system so we said we should be moving that about fifty feet or so, so that was another reason why the engineer recommended us getting it out of there, that was the point that I was making about the __, but if there is not enough water, we have to look at that too, if that's gonna be a problem; I think that he's guided over there because the Health Department, since it's a shallow groundwater area, shallow wells, that they go to a hundred and fifty foot setback from a sanitary system so it looks like he's showing it at approximately a hundred and fifty feet from our own sanitary system; the sanitary is __ you know; and about a hundred and twenty from the other neighbors; yeah; there's that one and then that one; so there may be an opportunity to put it more so in the area of the existing driveway potentially, I don't know if the elevations __ can it change though but it would be right in, right now it's less than seventy-five feet to the bulkhead, we could more than likely at least put it beyond that seventy-five foot line in that same area, it's only about four feet into the seventy-five foot setback so as opposed to this, moving it more; Nicole we can't really see it; oh you can't, it's okay on my screen, is that better, so are you saying from this area, more in this area; I don't know if we can go that far, we'd probably have to be a little bit; we have that __ on the other side; as well as our own septic, so the Health Department would want to review that; right; I see Mark Cappellino joined us, Mark is the co-chair of the CAC, Mark did you want to say anything; yeah the only thing I could see is maybe look at your driveway, maybe there's some modifications you could do with the driveway to help with this; okay, now is there any setback requirements from the property line for the driveway; no; there is not so we could just essentially maybe switch that parking area maybe to the other side right on the property line potentially; yes; okay; any of the neighbors want to speak, Peter Reich, you have to unmute yourself

Peter; hi, I'm Peter Reich, as most of you know, I'm an adjoining neighbor to the north, due to only getting a notice a week ago, having had eye surgery this, I wasn't able to send any written comments in advance and please bear with me, I agree with the CAC report, however not for this application, Bang's lot, Tolkins lot to the south and my lot were bulkkheaded pre seventy-six, when the whole area was one lot owned by John Snyder, actually it was John Snyder that built Bang's house as a boathouse, and my house as the captain's house, he kept his boat in the basin and his boat is where Andrea Stern's house is, anyway these lots are not typical waterfront lots as right or wrong, they were fully developed in the early sixties, there is no plants or fauna, it has the zoysia right down to the bulkhead with deep water running the entire length of the property, there never is any beach or bottom exposed even at the lowest or storm tides, if there were flagged wetlands within a hundred feet, the __ fauna or aquatic wildlife were beached, I would agree with the CAC but that simply is not the case here, it's __ down towards the water, that would also be a different story but it doesn't, the lot is relatively flat, flat enough so the zoysia filters any runoff from overflowing bulkhead into the creek, ___ the grade is remaining the same which I assume is the case since the application says zero yards of any fill will be trucked onto site, please confirm that fact, due to the fact that this is not a typical wetlands condition, I'm not so concerned that the house has to be moved back, the application says wire backed silt fence but I don't see its location on the survey or site plan, at least the ones I've seen, it may be on ones the Town Board has seen, even when properly installed, wire back silt fence blows out quickly at high wind sites, we learned that lesson when building Tolkins, we were constantly patching and repairing sections of fence, they simply don't stand up to winds over forty, not uncommon on these waterfront sites, when repair silt fence, we came up with a system of silt fence that Reich Eklund has used for waterfront projects since Tolkin and has been very successful, after of trenching, we run two layers of wire back silt fence, one backward so the wire is on the outside and two layers of fabric sandwiching it in so it can't separate from the wire, we also double spaced, one outside and one inside at each location, then wire it together, further sandwiching the fence, I urge the Town to consider this method or something similar on these windy sites, a single layer of wire back silt fence is only good for a short while, the fabric will definitely separate from the wire in a storm, which is also tied when the heaviest runoff occurs, totally defeating the purpose of having it, there are two trees I see on that survey that were not marked to come down, and I'm concerned about those two trees, they are to the north of the septic galley, while they're not in the wetland, the wetland setback is what's driving where the septic system is located, these trees are just on Bang's side of the property line, they're almost in the hedge that separates my property from their property and it looks like they are only gonna be three or four feet from the septic excavation, I'm concerned that the excavation will compromise the root system and these two mature trees are only about fifteen feet from my house and I'd feel really bugged if they fall on my new house, I had Fred Hyatt of Peconic Plants here and he also felt the trees definitely would be compromised, so I hope the Bangs are planning or considering moving those at the start of the project, last week I heard builders who come onto my property daily to pick up debris __ Bang's property to pick up anything that blew over the fence, given the windy conditions along the creek, it's impossible to think it won't blow onto adjoining property and one other comment, in speaking about water, one thing I did, the Town did other things with the larger storage tanks on special permits and stuff like that but in sensitive water areas, I _ hot water __ line and it really makes a difference so I think, and now with Covid, washing our hands fifty times a day, I turn on the faucet at the kitchen sink or master bath and get hot water instantly instead of waiting you know ninety seconds to get hot water, it does burn down the propane but it does save water over the course of the year, so basically that's just a few comments I made in support of this application, thank you; Mr. Tolkin; yes, good afternoon everyone, I am Brad Tolkin and along with my wife Margaret, we own the adjacent property at 6 Charlie's Lane, just to the bottom line, we are fully supportive of this project, there are just two things that we just want to point out, one that has been said, it was not on the survey, how far our sanitary system is from the well and the Town Board doing my approval process, my well was initially a hundred and fifty-five feet and I had to go through the expense of moving it to a hundred and fifty feet so we would like to know what that footage is and the second thing and the last thing is that the conditions of construction that were imposed upon us when we built our house which I documented in a letter, I just lifted it from our wetlands permit, I would like that imposed on the construction of this house and other than that we're fully supportive, I think they have done a phenomenal job, I applaud that and it's going to be a great addition to the neighborhood; thank you, anybody else, Kristina are you looking at the second screen; __; okay Bob do we close this hearing or shall we recess it; I think you can close it, there doesn't seem to be anybody else that wants to speak on it, __ to the Town Board discussions of it; okay; I just have one question please; sure; just about the

Board discussions of it; okay; I just have one question please; sure; just about the process, at the Town Board meeting, some of the suggestions that were made today, will our folks be able to come to that meeting; oh absolutely, we prefer that you do actually; okay thank you; when is it; this meeting today is for the public to have an opportunity to speak, after this, the Town Board will have more discussions with the design team; thank you; that will be Tuesday at one and we'll send the invite, how do you do the zoom invite Amber, how do we; Dorothy will cover that; okay.

The Supervisor declared the public hearing closed at 6:44 p. m. and reconvened the public hearing on the dock application for Peconic on Shelter, LLC, Gary Sher, 68 Peconic Avenue.

The Supervisor called for the report of the Waterways Committee of the Town Board. Councilwoman Brach-Williams presented the report as follows: James did you want to say anything, you're on mute; it's always about setting precedence and the committee felt strongly that if the dock could stay within the hundred foot length that is in the Code with no apparent ill affects then, especially if it were going to have a boatlift, then that's what they should do, the general feeling of the committee is to put docks where it's not a great spot to put a boat is maybe not the best idea but it's not our purview to say whether somebody should do something or not other than to say whether it's up to Code or not so we felt that given the fact that they were gonna use a boatlift anyway and they weren't gonna gain any appreciable water depth by going the extra twenty-five feet, they should stay within the Code; so did you receive a hardship letter or are you waiting for one; as far as I know we have not at this moment; so we did receive one; did we; yes; I have not seen it; no, it just came today; okay so we'll probably recess this one so we can see the letter.

The Supervisor called for a report from the Waterways Committee which was as follows: Councilwoman Brach-Williams presented the following report: I think we're just waiting for the WMAC to weigh in on it, the committee does not support the proposed hundred and twenty-five foot length of the dock as a variance from the Town Code, the committee agrees with that the hundred foot dock and the boat lift would be sufficient, by granting a variance of twenty-five feet, the owner only gains two point four inches of water, the applicant should submit a hardship letter, WMAC doesn't have the ability to deny the application, however it does not recommend a dockage in this area as this area of the shoreline is significantly exposed to the wind and the wave action to make it difficult to accommodate dockage on the __, the vote wasn't taken.

The Supervisor declared the public hearing recessed at 6:48 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 201

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

"Whereas", a public hearing was duly held on the 26th day of March, 2021, on a proposed Local Law entitled REPEAL CHAPTER 109 AND REPLACE WITH NEW CHAPTER 109, and

"Whereas", all interested persons were heard in favor of or in opposition to the proposed Local Law, now, Therefore

BE IT RESOLVED, That Local Law No. 3 - 2021 entitled Repeal Chapter 109 and Replace with New Chapter 109, is hereby adopted, to wit:

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

SITE PLAN REVIEW

§ 109-1 Purpose:

The purpose of this Chapter is to create a simple review process that allows the Town to ensure that new or changing businesses do not negatively impact the surrounding area but which does not impose a significant regulatory burden on business. To this end, both the elements and the procedures are intended to be flexible and scalable based on the needs of the individual project. This is not intended to be an architectural or aesthetic review.

§ 109-2 Applicability.

F. **When Required** This chapter shall apply and a site plan review shall be required when any business within the Town of Shelter Island:

4. Commences operation; or

2. Significantly changes, alters or expands their use or intensity of use of premise in a manner that will significantly affect the characteristics of the site as outlined in §109-3(A); or

3. Applies for a building permit for any use, building or structure, except the single-family or two-family home use on a single and separate lot, customary accessory uses to single-family or two-family residential home use as stated in the Town Code.

G. **Replacements & Repairs** In-kind and in-place, minor or periodic repairs similar projects that do not significantly alter the characteristics of the site may be approved by the Building Department without the need for a formal site plan review so long as they otherwise conform to any other the applicable codes.

H. **Scalability:** It is the intent of this chapter to allow for the scaling the scope and intensity of each individual review to match the complexity of the proposed project or venture while keeping the procedure simple and consistent for all applicants.

I. **Early Intervention:** The town aims to improve communication and understanding early in the process in order to save time, money and effort for the applicants, their architects and/or engineers. As part of the initial review process, the Building Department shall identify any and all possible issues that are subject to review and shall require that the applicant address only those procedures and standards applicable to the individual project.

J. **Fairness.** It is the intention of this chapter that to recognize that time is often of the essence in commencing or rehabilitating a business and by way of early intervention, communication and collaboration ensure that while a full and complete review is conducted that it does not unnecessarily delay or burden the applicant.

§ 109-3 Standard of Review

C. **Determining Factors.** In considering and acting upon site plans, the following shall be take into consideration the general 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:

15. **Traffic.** 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, permit emergency vehicle access and are in conformance with and do not disturb overall traffic patterns safety considerations.
16. **Interior circulation and parking.** Adequate off-street parking, handicap parking, and loading spaces are provided to satisfy the parking needs of the proposed uses on site and the provisions of §§ 133-8B(8) and 133-9F(1) of the Town Code, and the interior circulation system is adequate to provide convenient access to such spaces consistent with pedestrian safety.
17. **Landscaping and screening**. All required service, storage and similar areas are appropriately screened from view and to provide a noise buffer.
18. **Existing Development, Comprehensive Plan and Prior Stipulations.** The development proposed is at a scale and density consistent with existing development, with the Comprehensive Plan of the Town of Shelter Island and with all prior zoning variances, wetlands permits, special permits and stipulations.
19. **Natural features & Environmental Concerns.** Due regard shall be paid to all-natural features and the general environmental impact on and adjacent to the site, including but not limited to wetlands, water bodies, drainage courses, wetlands, marshes, dunes, bluffs, beaches, escarpments, woodlands, large trees, land clearing, unique or endangered plant and wildlife habitat and flood hazard areas.
20. **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.
21. **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.
22. **Lighting.** All outdoor lighting is of such nature and so arranged and, if necessary timed, 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.
23. **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 New York State MS4 program, all NYSDEC regulations and this Chapter.

24. **Public utilities**. The plans for water supply and sewage disposal are adequate. Installation of a nitrogen educing septic system.
25. **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 this chapter, Noise, of the Town Code.
26. **Handicapped access (ADA Compliance).** 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.
27. **Energy conservation.** The site plan and building design shall maximize the conservation of energy and ensure compliance with the New York Energy Code.
28. **Size.** The size of the subject parcel and the extent of the proposed development and/or disturbance of the applicant's premises.

D. **Burden Sharing.** Nothing herein shall preclude the Town Board from requesting that the applicant attempt to enlist 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.

§ 109-4 When a Site Plan Review is Required

C. Determination of Necessity. Within ten (10) days of receipt of an application for a building permit or any inquiry from an applicant regarding a new business or a change of use, the Chief Building inspector or his/her designee shall make a written determination as to whether a site plan review is required pursuant to § 109-2 (A) based upon the factors set forth in § 109-3 which shall be forwarded to the Town Board for consideration at the next work session.

D. Application Required. If Site Plan Review is necessary, the applicant will be required to submit an application for Site Plan Review through the Town Clerk

§ 109-5 Consolidation with Other Permits

D. Where additional Town Board permits are required for a project undergoing site plan review, such permits may be heard simultaneously with the site plan review. Separate hearings shall not be required.

E. Any permit or variance that is required to be obtained from the Planning Board or Zoning Board of Appeals must be heard separately by those boards.

F. Where multiple permits are considered simultaneously, a single resolution shall suffice to address all permits.

§ 109-10 Site Plan Application Procedure.

M. **Submittal of Application.** Site plan review shall commence with an applicant submitting a site plan review application and the applicable fee to the Town Clerk. The submission shall include 2 full size copies and a digital copy (in PDF form or any other electronic standard requested by the Building Department) of all documents.

N. **Site Plan Application Elements** A complete site plan application shall consist of the following and shall contain one (1) hard copy and one (1) electronic copy in .pdf format:

5. A completed site plan application form and site plan review fee.
6. An environmental assessment form, Part 1, where required by Chapter 60, Environmental Quality Review, of the Town Code. (No application shall be deemed complete until either a negative declaration has been made for the application or, if a positive declaration is made, until a draft environmental impact statement has been accepted by the Town Board as satisfactory.)
7. A site plan (see appendix).

e) The applicant shall submit a site plan map at a minimum scale of one inch equals 40 feet prepared by a New York State licensed architect, landscape architect, professional engineer or surveyor that shall include the relevant elements as shall be required by and available from the Building Department.

f) The Building Department at its discretion shall have the authority to allow the site plan to omit any elements not necessary for making an initial determination. However, the Town Board may later require that such omitted information be provided even if initially omitted as not relevant.

g) Nothing within this section shall prevent the Building Department or Town Board from requiring additional elements be submitted at any time in support of an application if it is determined that other information is necessary to determine conformity of the proposed site plan with the spirit and intent of this chapter.

8. Any other information required by the Building Department.

O. Completion Review.

2. Within ten (10) business days following receipt of site plan review application, the Building Department shall, at its sole discretion:

c) Determine whether the application is complete pursuant to § 109-10(B); and

d) Deem the application complete or request further information or amendments from the applicant by first class mail or email. (Responses to request for further information or amendments shall be reviewed by the Building Department and responded to within ten (10) business days)

P. Substantive Review

2. Within fifteen (15) business days of deeming an application complete, the building department shall

f) Determine whether the proposed site plan complies with any and all applicable codes; and

g) Determine whether a zoning variance, wetlands permit or special permit is necessary pursuant to the requirements of all provisions of Chapter 133 - Zoning, or Chapter 129 – Wetlands.

ii) If a zoning variance is necessary, it must be determined before a full site plan review can be conducted but shall not prevent conditional approval.

h) Specify the areas of concern in the submitted plan based on the factors contained in § 109-3 and prepare a written synopsis of all the applicable sections of the site plan review, specific to the particular project with recommendations as to requirements to impose.

i) Notify the applicant of any deficiencies (Responses to request for further information or amendments shall be reviewed by the Building Department and responded to within ten (10) business days); and

j) Forward this synopsis and recommendations to the Town Board.

Q. Conditional Approval

5. Upon receipt and review of an application, the Building Department may, upon request and at its own discretion with written notice to the Town Board issue temporary conditional approval for a business to operate under the proposed site plan subject to the following:

f) The applicant must consent to the conditional site plan in writing; and

g) The applicant must provide proof of liability insurance with a per occurrence limit of at least $1 million; and

h) The applicant shall agree in writing to make any changes contained in the final site plan or discontinue the use proposed in the site plan; and

i) The conditional approval may be revoked by the Building Department at any time for any violation of the Town Code or for failing to comply with the proposed site plan; and

j) The building department shall advise the Town Board or all relevant terms of the conditional approval at the first available work session.

6. Conditional approval shall not extend to permitting the construction of any structure that would be difficult or impossible to alter or remove should such action be later ordered; and

7. Conditional approval may be granted for a specified period of time or until such time as the final site plan is approved by the Town Board.

8. The conditional approval shall be superseded by the final site plan once the latter is approved by the Town Board.

R. Delivery

2. Once the Building Department has submitted its synopsis:

b) The Town Clerk shall deliver electronic copies of the application and synopsis to:

iv.) All members of the Town Board and the Town Attorney; and

v.) All participants in the Initial review meeting; and

vi.) 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 Building Department or the Town Board

S. **Initial Review Meeting**

If the Building Department determines that a Site Plan Review is necessary an initial conference shall be scheduled to be conducted within 15 business days.

4. Required Representation

h) The applicant or their representative(s); and

i) A representative of the building department; and

j) A representative of the Town Board; and

k) A representative of the Planning Board; and

l) A representative of the Zoning Board; and

m) A Representative of the Conservation Advisory Council; and
n) Any other person that the Town Board deems necessary.

5. Issues to be determined
   d) The elements of site plan review applicable to the proposed project; and
   e) The Boards, committees and agencies that should review the proposed project; and
   f) The time frames under which submissions must be provided and decisions made
6. Ultimate Authority

If the representatives at the Initial Review Meeting are unable to agree upon any issue, it shall be decided by the Town Board.

T. Analysis

3. The Town Board, at its discretion, may refer the site plan to any Town Department, Board or committee whose expertise it believes would be helpful in evaluating the material presented and the issues to be determined.
4. Any department, board or committee to whom any information is refereed for review must provide a response to the Town Board in a timely manner not to exceed fifteen (15) business days.

U. Public Hearing

5. The Town Board shall fix a time and place for a public hearing and shall provide for giving notice of the hearing by publishing a notice in the official newspaper at least ten (10) calendar days prior.
6. At least ten (10) calendar days prior to the hearing, the applicant shall mail notice of the time, date, place and nature of the hearing to the owners of record of every property which abuts and every property which is within two hundred (200) feet of the property involved in the application. Such notice shall be made by certified mail and addressed to the owners at the addresses listed for them on the local assessment roll. On or before the commencement of the public hearing, the applicant shall file a radius map prepared by a professional Engineer, Surveyor or Architect and an affidavit with postal receipts annexed thereto confirming mailing of said notices.
7. The applicant or his agent shall also erect or cause to be erected a sign or signs which shall be displayed on the parcel upon which the application is made, facing each public street on which the property abuts, giving notice that an application has been made to the Town Board, and stating the time and place where the public hearing will be held. The sign(s) shall not be located more than 10 feet from the street line, and shall not be less than two feet nor more than six feet above the natural grade at the street line. The sign(s) shall be displayed for not less than ten (10) calendar days immediately preceding the public hearing date. The applicant shall file an affidavit with the Town Board that he has complied with the provisions of this section. Failure to submit such affidavit shall result in the adjournment of the public hearing.
8. A public hearing shall be conducted as scheduled at which time the applicant and all interested parties shall be given the opportunity to address the Town Board and ask and answer questions at the meeting where the presentation is made.

V. Voting

3. Approval of a site plan shall require a simple majority. At its discretion, the Town Board may vote on the application at any time after the public hearing has concluded. If it is determined that further information is necessary to render a decision, the matter may be adjourned to the next regular meeting of the Town board or to a special meeting.
4. In determining whether to approve an application, the Town Board shall consider those factors set forth in § 109-3 as well as any other factors it finds relevant.

W. Notice of Decision

3. Within seven (7) calendar days of the vote on the application, the Town Clerk shall notify in writing the Building Inspector, the applicant, and any other party designated by the Town Board, of its approval, approval with modifications or disapproval.
4. A statement shall be placed on all written determinations for site plans approved by the Town 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 Town Board. In the event that the site plan is not signed by the owner or his agent within forty five (45) calendar days of the date of the written determination of the Town Board approving the administrative site plan, said written determination shall be deemed null and void.

X. Ultimate Authority

The Town Board is the ultimate authority in determining Site Plan Review and nothing in this chapter shall prevent the Town Board from assuming jurisdiction over the process at any time or waiving any requirement in the application or review process that is not mandated by Suffolk County, New York State or Federal Law, statute or regulation.

§ 109-11 Amendments

C. Any proposed amendment to the site plan must be approved by the Town Board pursuant to the procedure set forth in § 109-10 except that those site plans incorporating amendments made at the direction of the Town Board may be approved by the building inspector upon submission to the Building Department.

D. Neither a site plan nor amended site plan shall be required as part of a submission for a subsequent building permit so long as site conditions have not changed since the submittal of the most recently approved site plan on file in the Building Department.

§ 109-12 No Work to Proceed Without Site Plan

D. 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 Town Board.

E. No 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 Town Board. The Town Board reserves the right to require corrective regrading and landscaping should a landowner intentionally proceed with this work prior to approval or written permission.

F. 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.

§ 109-13 Time Limits for Planned Construction

B. For the purpose of obtaining approval for construction, an approved site plan shall be valid for a period of two years from the date of approval unless a building permit is obtained.

§109-14 Fees.

B. Applicants shall submit the requisite fees with an application for a site plan or amended site plan, in an amount established from time to time by resolution of the Town Board.

§109-20 Compliance

B. The provisions of this chapter shall be enforced by the Building Inspector or by any Code Enforcement Officer of the Town of Shelter Island.

§109-21 Penalties for Offenses

D. An offense against the provisions of this chapter shall constitute a violation under the Penal Law and shall be punishable by a fine of not less than two-hundred fifty ($250) Dollars and not more than one thousand $1000 dollars or by imprisonment for not more than 15 days, or both.

E. Any violation of this chapter that is not corrected within thirty days of receipt of a notice of violation shall may be charged as a separate and distinct violation.

F. The Town may require removal of any structure constructed in violation of this chapter and may order the discontinuance of any use not permitted under the terms of the Site Plan Review.

APPENDIX – SITE PLAN CONTENTS

Required Submissions. The submitted site plan is to include those elements listed below or any further information that is appropriate to the evaluation of proposed project.

5. Legal Data

j) The name and address of the owner of record.

k) The name and address of the person, firm or organization preparing the map, sealed with the applicable New York State license seal and signature.

l) The date, North arrow and written and graphic scale.

m) 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.
n) The locations, names and existing widths of adjacent streets and curblines.
o) The location and owners of all adjoining lands and those lands directly across the street, as shown on the most recent tax records.
p) 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.
q) A complete outline of existing easements, deed restrictions or covenants applying to the property.
r) Existing zoning.

6. Natural features.
e) Existing contours with intervals of two feet or less referencing 1988 NAVD datum or other datum satisfactory to the Town Board. In addition, spot elevations will be required where contour elevations are less than two feet on the site.
f) The approximate boundaries of any areas subject to flooding or stormwater overflows.
g) The location of existing features enumerated above, including the mapping of all existing trees that are greater than 12 inches in diameter at three feet in height, and any other significant existing natural features.
h) The location of any existing cultural features enumerated above and any other significant cultural features.

7. Existing structures and utilities.
g) Outlines of all structures and location of all uses not requiring structures.
h) Paved areas, including parking areas, sidewalks and vehicular access between the site and public streets.
i) 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.
j) Other existing development, including fences, landscaping and screening.
k) The location and use of all buildings and structures within 200 feet of the boundary of the subject property.
l) The location and distance of the closest fire hydrant or fire cistern.

8. Proposed development.
l) The location of proposed buildings or structural improvements, indicating setbacks from all property lines and horizontal distances from existing structures.
m) 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.
n) The location, direction, power and time of use for any proposed outdoor lighting or public address systems.
o) The location and plans for any outdoor signs, which must be in accordance with applicable sign regulations.
p) Grading and drainage plans shall be based on retention of a two-inch rainstorm over a twenty-four-hour period, drainage calculations, contours and spot grade elevations to be shown.
q) Proposed landscaping, buffering and street tree plans, including material size, quantity and location. A list of plantings shall also be shown.

r) 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.
s) 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.
t) If the site plan only indicates a first stage, a supplementary plan indicating ultimate development.
u) The location of any fire hydrant, cistern, well or other fire protection device.
v) Any other information deemed by the Town Board to be necessary to determine conformity of the site plan with the spirit and intent of this Chapter or Chapter 133, Zoning.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 202

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Stuart Israel, 22 Merkel Lane, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as 41.05035° north and 72.31703° west; said mooring location was formerly occupied by the O-3362 Carragher mooring, and

"Whereas", a public hearing was duly held on the 26th day of March, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 203

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", heavy commercial traffic has created a danger to other vehicles and pedestrians and may cause damage to Serpentine Drive; and

"Whereas", a public hearing was duly held on the 26th day of March, 2021, on a proposed Local Law entitled A LOCAL LAW IMPOSING WEIGHT RESTRICTIONS ON SERPENTINE DRIVE; now, Therefore

BE IT RESOLVED, That the Town Board does hereby adopt Local Law No. 4 - 2021 entitled A LOCAL LAW IMPOSING WEIGHT RESTRICTIONS ON SERPENTINE DRIVE, to wit:

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

Section 1. SEQRA

This Board hereby establishes itself as Lead Agencypursuant to SEQRA and finds that this minor alteration to traffic patterns will not result in a significant adverse impact on the environment and that a full environmental assessment will not be prepared.

Section 2. Local Law Amended.

§126-9.1 (A) of the Shelter Island Town Code is amended to add "Serpentine Drive and the unpaved portions of Sunnyside Avenue" to the end of the first sentence after "New York Avenue", and the complete amended section shall read as follows:

Any vehicle registered with a gross vehicle weight rating or a gross combination weight rating of more than nine tons shall be excluded from New York Avenue, Serpentine Drive and the unpaved portions of Sunnyside Avenue. Such exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property on New York Avenue, Serpentine Drive and the unpaved portions of Sunnyside Avenue or to prevent traffic from going to and from residences and businesses located on New York Avenue, Serpentine Drive and the unpaved portions of Sunnyside Avenue.

Section 3. Add the following subsection to the Shelter Island Town Code:

§126-9.1 (B) Sufficient signage shall be erected in locations that will ensure that overweight vehicles have the opportunity to divert to alternate routes.

Section 4. Effective date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 204

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

"Whereas", the Town of Shelter Island owns Fresh Pond and wishes to undertake a study to determine the quality of the water and potential mitigation strategies; and

"Whereas", after bids pursuant to the Town's purchasing policy, the firm of Lombardo Associates Inc. has been selected to complete the study and has estimated a cost of $64,800.00; and

"Whereas", the Town has received a grant from the State of New York in the amount of $30,000.00; and

"Whereas", the Fresh Pond Neighbors Association has offered to pay $15,000.00 toward the expense of the study; and

"Whereas", on March 26, 2021, a public hearing was held regarding a proposal to authorize the Supervisor to expend up to $20,000.00 from the twenty percent (20%) portion of the Community Preservation Fund account set aside for water quality improvement projects to cover the remaining cost of the study; now, Therefore

BE IT RESOLVED, That the Town Board hereby authorizes the Supervisor to expend up to $20,000.00 from the twenty percent (20%) portion of the Community Preservation Fund account set aside for water quality improvement projects to cover the remaining cost of the feasibility study; and

BE IF FURTHER RESOLVED, That the Supervisor is authorized to execute the agreement with Lombardo Associates Inc., to conduct the feasibility Study.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

Supervisor Siller moved and Councilwoman Brach-Williams seconded to adjourn this meeting at 7:09 p. m.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

This motion was carried.

Dorothy S. Ogar
Town Clerk

March 30, 2021

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 via Zoom on the 30th day of March, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Councilman James T. Colligan was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and approximately eight persons were also present.

The Supervisor called the special meeting to order at 1:02 p. m.

Councilwoman Brach-Williams moved and Councilman Bebon seconded to approve the holding of this special meeting by approving the Waiver of Notice.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

This motion was carried.

RESOLUTION NO. 205

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", the Governor of the State of New York by executive order #203 directed all municipalities police departments to conduct a comprehensive review of police policies and procedures and adopt a plan for reform; and

"Whereas", the Town of Shelter Island created a citizen's committee to advise the Town Board as to necessary reform and that committee conducted a survey, held a public listening session, met with stakeholders and individual citizens; and

"Whereas", the committee submitted ten (10) recommendations which were discussed with the Town Board and refined; and

"Whereas", the police department conducted an internal review of its policies considering recent changes in state law and as part of its accreditation; and

"Whereas", a final report was prepared and submitted for public comment; now, Therefore.

BE IT RESOLVED, That the Town of Shelter Island Police Reform and Reinvention Collaborative Plan is hereby adopted; and

BE IT FURTHER RESOLVED, That the Supervisor is authorized to execute and return a certification to the State of New York that the plan was completed in accordance with Executive Order 203.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 206

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", pursuant to Section 40-5.1 C of the Code of the Town of Shelter Island, any Shelter Island resident may utilize and/or store a boat on Town Property between April 1 and November 30 of each calendar year pursuant to certain provisions, and for a fee to be determined by resolution of the Town Board, and

"Whereas", the sizes of the boats shall be determined as follows:

small - kayak, canoe, paddle board, dinghy under 9', skiff under 10', basically a single hull intended for no more than two people;

medium - sunfish, laser, opti, any type of said craft with one mast, one hull intended for two people, inflatable, small boat under 12'; and

large - multihull (hobie cat etc.) no longer than 18' with rudders extended, maximum beam 8', now, Therefore

BE IT RESOLVED, That the fees for storage of boats on Town property are set, as follows:

small boats	$50.00 per season
medium boats	$100.00 per season, and
large boats	$150.00 per season.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 1:08 p. m., Councilman Bebon moved and Councilwoman Brach-Williams seconded to adjourn the special meeting.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

This motion was carried.

Dorothy S. Ogar
Town Clerk

April 16, 2021

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 16th day of April, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., 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.

The Supervisor presented the following statement:

This is the April 16, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting. The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

The Supervisor presented the following financial report for the month of March, 2021

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
MARCH 2021

ACCOUNT	FORWARD	RECEIPTS	DIS-BURSEM.	BALANCE	CLASS
Gen Checking	6,435,757.46	866,173.96	1,315,195.96	5,986,735.46	809,913.72
Hwy Checking	2,535,269.62	328,124.51	176,844.67	2,686,549.46	
T&AChecking	140,361.71	585,319.50	491,297.26	234,383.95	10,517.07
T&A Savings	12,238.53	0.33		12,238.86	
Hwy Cap Res	394,067.97	22,510.20	39,638.35	376,939.82	
WNW Supply	31,965.20	4,899.53	2,923.85	33,940.98	134,262.87
Taylor's Island	44,124.47	0.37		44,124.84	
Comm Preserv	3,211,600.44	753,413.97	130,897.81	3,834,116.60	5,904,702.01
Waterways	145,117.21	6,574.75		151,691.96	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,361.70
Environmental					5,679.28
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	251,470.92	2.10		251.473.02	
Ambul Train	24,480.89	0.66		24,481.55	
TOTALS	15,533,101.18	2,567,019.88	2,156,797.90	15,943,323.16	7,235,436.65

Correspondence included the following:

1. A letter from Alison Binder resigning as Therapeutic Aide at Silver Circle effective April 6, 2021.
2. A letter from David Binder resigning from his position as Senior Center Administrative Assistant effective Tuesday, April 20, 2021.
3. Several letters from Matt Sherman of Sherman Consulting concerning the Cokid wetlands application.
4. Letters from the Demarest family concerning the Cokid wetlands application.

RESOLUTION NO. 207

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

"Whereas", Carl Norr, 12 North Midway Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor at the Stone Wall at a location designated as latitude 41.410522° north and longitude 72.721575° 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 7th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 208

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

"Whereas", Andrew Langham, 34 Stearns Point Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay off the Cackle Hill mooring location site and north northwest of the Pascale W-3475 mooring; said mooring was formerly occupied by the W-2989 Zubritzski mooring and is located at a location designated as latitude 41.06515° north and latitude 72.36332° 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 7th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 209

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Jeffrey and Tara Coniaris, 82 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 41.105312° north and 72.328260° west; said mooring location was formerly occupied by the O-3443 Alli 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 7th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 210

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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 5, 2021, Marc Wein was reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2024, and

"Whereas", Mr. Wein has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Wein continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Marc Wein is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 211

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

BE IT RESOLVED, That Thomas Hashagen is hereby appointed to serve as part time Maintenance Mechanic 1 for the Residential Repair Program at the rate of $23.46 per hour for the year 2021 effective retroactive to April 8, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 212

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 check from NYMIR in the amount of $12,721.12 to the Highway DA5130.446 repairs account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 213

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

"Whereas", R. James Royer, 36 Peconic Avenue, has petitioned the Town of Shelter Island for permission to maintenance dredge entrance to boat basin at 36 Peconic Avenue, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 214

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 25th day of March, 2021, for the sale of a 2000 Ford bus, at which time they were publicly opened and read aloud, as follows:

Grady Riley Gardens, Shelter Island, NY a bid of $4,000.00, now, Therefore

BE IT RESOLVED, That the bid is hereby awarded to Grady Riley Gardens, Shelter Island, NY, for the sum of $4,000.00, the sole bidder.

Roll Call Vote:	Councilwoman Brach-Williams	aye	
	Councilman Colligan	aye	
	Councilman Bebon	aye	
	Councilman Dickson	aye	
	Supervisor Siller		abstain
		4 in favor 0 opposed	1 abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 215

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Lynne Colligan has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 9 South Cartwright Road, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $8,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $8,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye

	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 216

Councilman Dickson 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, 2019 through May 31, 2020, for the sum of $49,100.00.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 217

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

BE IT RESOLVED, That Resolution No. 117 - 2021, dated February 5, 2021, is hereby amended to read as follows:

BE IT RESOLVED, That Brett Poleshuk is hereby appointed to serve as part time Building Inspector for the year 2021 for ten hours per week at the rate of $25.00 per hour, retroactive to January 11, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 218

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

"Whereas", Jenny Landey Productions, 207 Three Mile Harbor, HC Road, East Hampton, NY 11937, has filed an application for a filming permit to film at 41 North Menantic Road on May 3 and May 4, 2021, and

"Whereas", the Shelter Island Police Department has determined that there is no need for assistance and or traffic control during this filming shoot, and

"Whereas", the Superintendent of Highways has made the following recommendations:

All roads are to remain clear;
All sidewalks are to remain clear;
Any destruction of the sides of the roads must be repaired before leaving the area;
All garbage must be cleaned up; and
Safety of the public should be maintained at all times, and

"Whereas", said filming involves approximately 14 persons and 10 vehicles, now, Therefore

BE IT RESOLVED, pursuant to Section 65-E of the Town Code, the Town Board hereby authorizes the Town Clerk to issue said permit, subject to receipt of the required fees, as follows:

$500.00 application fee
$2,000.00 filming fees for two day's filming, and
$1,000.00 clean up deposit.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye

Councilman Dickson	aye
Supervisor Siller	aye
	5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 219

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", applicants Francesca Bang and Gerry Gleich propose significant demolition work within vegetative buffer and adjacent regulated area at 5 Charlie's Lane, Shelter Island, New York, Zone C Residential (Near Shore and Peninsular Overlay District) and bearing SCTM# 0700/23/1/24.5 (the "Premises"); and

"Whereas", the proposed project entails the demolition of the existing one story house, patio, outdoor shower, walkways, removal of fifteen trees, removal of two existing cesspools, with proposed new construction of a two story house with crawl space, new outdoor shower, and new covered back porch, new HVAC, new front porch and new walkways; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer: demolish existing single family house and accessories, small portion of newly constructed house; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' Regulated Area: reconstruction of a large portion of the new 3,044 SFLA house; and

"Whereas", any further work is proposed in conforming locations for which a wetlands permit is not necessary; 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 has issued a letter of non-jurisdiction numbered 1-4732-00745/00004, dated July 10, 2020; and

"Whereas", the Suffolk County Department of Health Services has issued a permit for the installation of an new nitrogen reducing septic system numbered R-20-0893 dated November 4, 2020; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on March 26, 2021, 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 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. This Board hereby adopts the revised findings of the Planning Board and Conservation Advisory Council, both of which approved of the amended proposal after initially opposing the project;
2. This project will result in the removal of the majority of the house and a complete septic system from the wetlands and the replacement of two cesspools with a nitrogen reducing septic system;
3. The proposed project has adequate mitigation measures proposed or required, including runoff controls, that contribute to the protection and enhancement of wetlands; and

BE IT FURTHER RESOLVED, That a wetlands permit for the above described work to be conducted at the Premises is hereby granted, subject to the following conditions:

1. All construction shall proceed as depicted on the site plans of Nicole Adams, Architect numbered A-002.2 and A-002 dated March 30, 2021 and March 31, 2021 respectively;
2. The applicant will install two WX350 well water storage/hydropneumatics tanks, and also install a pump with a maximum capacity of 5 gallons per minute;
3. The applicant will install a point of contact hot water system;
4. Construction procedures and erosion controls including the anchored installation and maintenance of double wire backed silt fences during all stages of construction shall be required, and be designed to prevent any runoff from disturbed ground into the wetland areas;
5. Soil disturbance should be minimized where possible;
6. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week;
7. No project excavation, regardless of depth, may intrude into the water table or require dewatering;

8. If any structure is elevated to avoid dewatering as required by the Town Code, the applicant must submit a runoff plan to prevent outflow onto neighboring property or adjacent waterway, or the street;
9. All construction materials and equipment shall be staged outside the regulated area;
10. Parking of all construction and delivery vehicles shall be on premises to the extent reasonably possible;
11. No public street or public or private right-of-way may be obstructed or impaired during construction;
12. Applicant must repair any damage to any adjacent public road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent;
13. 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;
14. The existing septic system shall be replaced by a nitrogen reducing IAOWTS septic system;
15. Noise controls shall be pursuant to the Town Code;
16. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project;
17. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter;
18. 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 a minimum limit of $500,000;
19. This permit shall only be valid for construction commencing within two years of the date of this approval; and
20. The Building Inspector may halt construction for any violation of these restrictions or of the Unified Code, and

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 220

Councilman Dickson 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 an agreement between the Town of Shelter Island and the County of Suffolk to receive funds from the County for a Residential Repair program for the elderly for the period April 1, 2021 through March 30, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 221

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 agreement between the County of Suffolk and the Town of Shelter Island for the period of January 1, 2021 through December 31, 2021 with one, one year option to renew, for the provision of funding for the nutrition program for the elderly.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye

RESOLUTION NO. 220A

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Applicant Cokid Invest LLC proposes significant demolition work within vegetative buffer and adjacent regulated area at 10 South Ram Island Drive, Shelter Island, New York and Zone A to AA Residential (Near Shore and Peninsular Overlay District) and bearing SCTM# 0700/11/2/4.1 (the "Premises"); and

"Whereas", the proposed project entails the demolition and removal of the existing 4122 SFLA house, foundation, shed, green house, retaining wall and driveway and construction of new 7,193 SFLA house and detached garage with a first floor art studio and a second floor sleeping quarters; the total SFLA will be 8,470; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer: demolition and removal of the existing house, foundation, decks, patios, retaining walls and septic system; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' adjacent regulated area: demolition of existing foundations, patios and decks and construction of new pool, pool patio and wall; and

"Whereas", any further work is proposed in conforming locations for which a wetlands permit is not necessary; 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 Department of Environmental Conservation has issued a letter of non-jurisdiction numbered 1-4732-00134/00003 dated October 29, 2019; and

"Whereas", the Suffolk County Department of Health Services has issued a permit numbered R-20-0244 dated April 7, 2020; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on March 26, 2021, 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 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. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council, both of which recommended approval of the project;
2. The Town Engineer has reviewed runoff and erosion at the site and determined that the addition of the accessory building will not significantly exacerbate erosion at the site and that the mitigation measures may improve the existing conditions;
3. This project will result in the removal of a house and septic system from the wetlands and the installation of a nitrogen reducing septic system;
4. The proposed project has adequate mitigation measures proposed or required, including runoff controls, that contribute to the protection and enhancement of wetlands;
5. The size of the property and the mitigation measures employed for water conservation are sufficient to support a house of the size proposed; and

BE IT FURTHER RESOLVED, That a Wetlands Permit and Town Board Special Permit for the above described work to be conducted at the Premises is hereby granted, subject to the following conditions:

1. All construction shall proceed as depicted on the site plan of Matthew Sherman of Sherman Engineering and Consulting dated December 19, 2020 and last revised March 29, 2021 and the Stormwater plan dated March 31, 2021;
2. The applicant will install a 500 gallon storage tank for well water, and also install a pump with a maximum capacity of 5 gallon per minute;
3. The applicant will install a point of contact hot water system;
4. The applicant will plant evergreen vegetation along the property line to the north;
5. Construction procedures and erosion controls including the anchored installation and maintenance of double wire backed silt fences during all stages of construction shall be required and be designed to prevent any runoff from disturbed ground into the wetlands areas;
6. The applicant shall install an automatic pool cover;
7. Soil disturbance should be minimized where possible;
8. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week;

9. No project excavation, regardless of depth, may intrude into the water table or require dewatering;
10. If any structure is elevated to avoid dewatering as required by the Town Code, the applicant must submit a runoff plan to prevent outflow onto neighboring property or adjacent waterway, or the street;
11. All construction materials and equipment shall be staged outside the regulated area;
12. Parking of all construction and delivery vehicles shall be on premises to the extent reasonably possible;
13. No public street or public or private right-of-way may be obstructed or impaired during construction;
14. Applicant must repair any damage to any adjacent public road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent;
15. 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;
16. The existing septic system shall be replaced by a nitrogen reducing IAOWTS septic system if one has not already been installed;
17. Noise controls shall be pursuant to the Town Code;
18. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project;
19. In the event that the Zoning Board of Appeals determines that the proposed art studio on the first floor is required to be considered a bedroom, it shall be removed and reincorporated into the garage;
20. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter;
21. 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 a minimum limit of $500,000;
22. This permit shall only be valid for construction commencing within two years of the date of this approval; and
23. The Building Inspector may halt construction for any violation of these restrictions or of the Unified Code, and

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

Roll Call Vote:	Councilwoman Brach-Williams	aye	
	Councilman Colligan	aye	
	Councilman Bebon	aye	
	Councilman Dickson		nay
	Supervisor Siller	aye	
		4 in favor	1 opposed

The resolution was thereupon declared duly adopted.

	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 222

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

"Whereas", Stanley Church, 52 Tuthill Drive, has petitioned the Town of Shelter Island for a wetlands permit to enclose an existing covered porch area to be living space, 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 7th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 223

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", James Olinkiewicz, 28A South Menantic Road, has petitioned the Town of Shelter Island for a wetlands permit to place existing decking on waterside deck, replace support structure as needed, and construct new cantilevered upper deck, 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 4:48 p. m., prevailing time, on the 7th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 224

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", the Shelter Island Senior Center has received a donation in memory of Jeanne Moore in the amount of $100.00, that the Senior Center staff would like to use toward programming, and

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

BE IT RESOLVED, That the following 2021 budget revisions are hereby approved:

$100.00 increase to the 2705SR Senior Center donations revenue account, to be funded by said donation, and

$100.00 increase to the 2021 A6777.497 Senior Center program providers expense account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 225

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

BE IT RESOLVED, That the following 2020 budget modification is hereby approved: $559.30 from the Waterways Fund balance to the A5710.100 Waterways Management Advisory Council clerk personal services account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 226

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

BE IT RESOLVED, That 2021 general claims numbered 356 through 484 in the amount of $168,164.45, 2021 highway claims numbered 46 through 66 in the amount of $122,825.43, and 2021 West Neck Water claims numbered 7 through 13 in the amount of $8,576.62 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:16 p. m. the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of South Ferry, Inc. for a special permit to remove existing buildings.

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

The Supervisor called for a report from the Planning Board, which was as follows:

10 July 2020

Re: South Ferry Special Permit Application
128 South Ferry Road
SCTM # 700-24-01-51
Zone A Residential
Within Near Shore and Peninsular District

We are in receipt of the Special Permit Application from South Ferry Inc. for the removal of several existing buildings, the construction of a new maintenance barn with an office, a meeting room, and work areas. One existing non-conforming (with side yard setback) shed is to remain.

The applicant has received SCDHS Permit #C07-19-0002 to install a new conventional septic system and a new well.

The proposed structure seems consistent with the properties continued use as a support facility for the South Ferry's ferry operations.

The site is surrounded by vacant parcels (mostly owned by the applicant and his family) and is an appropriate distance from the nearest developed properties wells and septic systems.

At 30,109 sf the property does not conform with the A Zone minimum area requirement of 40,000sf. Having said so, the footprint of the proposed structure will be within located required setbacks. This reduces the property's level of non-conformity as many of the existing structures extend beyond the building envelope.

Currently structures cover 3,192 sf of the 30,108 sf property, or approximately 11%. The proposed structure increases the coverage to 4,228 sf, or 14%. This remains below the A Zone permitted 25%.

The impervious surface coverage is proposed as 5,988 sf, or 20%, which is less than the A Zone permitted 40%.

Though no count of parking spaces is provided, or a count of those required by Town Code, it appears there will be ample parking available.

The applicant is installing three drywells to capture and recharge roof storm water which improves on the existing condition. We ask that the stormwater pools be sufficiently size to handle 2"/24 hr

rainfall. No environmental risks or impacts associated with this proposed project were observed or foreseen.
The site was visited on July 8, 2020 by Planning Board Members Meg Larsen and Edward Hindin.
Recommendation
The Planning Board recommend approval of this application. The proposal improves the degrees of zoning non-conformity, groundwater flow, and functionality in support of a critical Town business.
Chapter 109 Site Plan Reviews for commercial properties is currently being handled by the Town Board. We ask that ingress/egress, parking, dark skies, signage, and other customary compliance be considered by the board in their review.
The one potential lost opportunity, and in no way is this a criticism of South Ferry Inc. who is following current Town code, is the installation of an IA sanitary system instead of a conventional septic system. The site is located within the near shore overlay and is within 500' of a water body. In the future, we ask that the Town Board consider requiring IA sanitary systems for commercial uses as they currently do so for residential properties.
By: Edward Hindin, Planning Board Member
Meg Larsen, Planning Board Member
For the Planning Board

Councilman Bebon added that the Planning Board in the review of this made a statement that the one potential lost opportunity in no way is a criticism of South Ferry Inc who is following Town Code, is the installation of an IA sanitary system instead of a conventional septic system, it is located in the Near Shore Overlay and is within five hundred feet of a water body and I would endorse that recommendation; may I speak to that; sure; this is gonna be a thing where it's not gonna have much use at all, total flushes perhaps six to ten a day at the most probably, it's not gonna be used for bathing, there will be an eyewash station there and there will be a facility but it', for showering but it's not gonna be used for any kind of volume at all, if it were my house and I was doing it for a family, I would voluntarily do it without a doubt, I would think it would be a wonderful idea, I really think the cost is not the need and the usage to insure a presence, once built is not gonna justify the extra twenty or thirty thousand dollars to do it, I'm very much interested in the environment, my family lives on that property, I own property on three of the four sides of that, two of the four sides, the highway is on the other side and the family is to the south of this so I would ask that that not be a restriction based on the fact that that's just not the kind of a water use that's gonna make any difference on the environment; that was your only comment Mike; that was their only comment.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Cliff do you want to give us a quick overview on what you don't __; absolutely, we've got to take about three thousand three hundred square feet of __, an eighteen hundred cow barn is coming down and we're gonna recycle all the materials, there's some really good lumber in there, I've started talking to companies about disassembling that barn and not just tearing it down so there will be some lumber recycled out of that, we're gonna take down the cow barn and several steel containers out there that are just over the years have been necessary for us to maintain the equipment and supplies for South Ferry, there's a temporary sixty by twelve in there on wheels that will go away so we're gonna clean up that whole area, we're gonna put in a steel framed fifty by eighty building that will be outside cedar shingled, nice asphalt with a shingle roof, maybe a cupola on top but it's gonna be just a very nice improvement to the looks, now you can't see it and you folks probably don't have any idea what's back there because Billy's pine trees in there about twenty-five years ago to shield that area but it's just about five hundred feet __ about three hundred meters from the ferry as you pull up on that two lane off to the right, 128 South Ferry Road so you really can't see what's back there but we're really gonna clean that area up a lot and improve it aesthetically as well, make it more suited for the work that we do for the five ferry boat fleet, a lot of storage space for our engines, we'll have a storage place for all of our high value equipment, a small office for my engineer and foreman, the second floor will be a loft in about half of it, a total of about fifty-seven hundred square feet including the loft and we're getting rid of about thirty-two, thirty-three hundred square feet of steel containers and old barn, it's gonna improve that area substantially, the looks and it will be all under one roof; anybody else; I really like to not pass on thirty-thousand extra dollars to the one source we have of income which is you folks I should say but it's obviously it's not that anybody is gonna feel it but it's a lot of money and if it was value to it, I would jump on board, you wouldn't even have to ask me, I talked to Matt about it this afternoon, Matt Sherman and he and I said if we needed to do that, we discussed it and the value we're gonna use there, it's just not fair to justify the price; I would note for the public that

this is not a Code requirement, though the project as proposed is compliant; Albert were you gonna say something; I was gonna say just what Mike said, that we can't require this, it's not within our Code, all I can do is ask for it Cliff as for the person that you are, the stature that you have on Shelter Island and South Ferry is a benefit, do the environmental sensitive thing, that's all, all I can do is ask; you want to really get to me don't you, you know me too well, I knew you when you were in school, I hear what you're saying and asking; I just have a comment, is there any possibility that there could be any kind of grant monies used for this, have we looked into that, is that a possibility at all Amber; yeah because it's a voluntary conversion so fill out an application, Matt would know better on the County and __ funds whether or not grants are available for commercial, I believe they are; they are but they are not really given out in a situation like this, this is not a failing system or a, there's a number of trigger points that you need to hit for the County and State but we can certainly look into it, but it wouldn't be very promising for a project like this; Meg, I see you're on, it's fifty-seven hundred, how big is it Cliff; oh it's about fifty-seven hundred, let me see, I have my __ rate in my plans right here, it might be, I'm pretty confident about that, one of them on here has; the IA unit that you would need for this building would be a SEN five with, that's the price point difference, the SEN five, possibly a SEN seven, depending on how the Health Department looks at it; __ square feet of building including the loft; so Meg, ball park, what would something like that cost; a SEN five is about twenty-five thousand fully installed, I don't know if the County would have __ requirements but they're very simple for a SEN five and it's not __; what would a normal system cost us, do you have any idea what that would, how much extra that is; a normal system is probably about twelve thousand; alright, we'll do it; well don't be so generous we have a fund, the WQI has money that we give grants to and maybe we should discuss that, I mean; I would love to discuss it and to share it; we're asking you to do something that you are not required to do; I understand; __ splitting the difference; I appreciate that Mr. Supervisor and I'll be willing to work with the Town on something that we would be sharing the cost, if that's legit, I would say it was gonna be twenty-five or thirty thousand extra dollars for the job, I just didn't have good data but if we're in that ballpark and we can work together, I will pledge to respond to this and we'll figure out a way to do it; and Cliff as you know, I've been kind of tight, I'm known as a cheapskate but you kind of hit the nail on the head when you said you know, your ratepayers are gonna pay it one way or another so this is something we have to take into consideration; let's work together on it; I think that's the way to go, I'm glad Albert brought it up, by saying the right thing and making him feel guilty; so Cliff, apply to the Water Quality Board as a commercial project and then they can look at it as a special application because it wouldn't be residential, and then the Water Quality Improvement Board has the availability to give you grants for that; I would be more than happy to do that and bear some of that burden if necessary; any other comments on this one; yes Cliff I just want to say on behalf of the Water Advisory Committee we really appreciate your position on this; well this is my home, I grew up here and my house is right across the street, it's where I make my living, putting all this together, I'm just very sensitive to cost right now, it hasn't been a great year but we've been able to manage and we're gonna be okay, we're gonna be fine unless we get a disastrous summer but everybody is now, all of us are on the high alert that every dollar does matter; and I certainly appreciate that, the way we look at it is; you froze up on us Mike; that was ___; you froze up on us Mike, I'm sure you said something nice but we lost you; am I back again; yes; okay, I was just saying that the way that we look at it is, the reason, the same way the Planning Board did, from the standpoint of calling it a lost opportunity, there's a conventional system going in, is a one time savings in cost but it's gonna be there for the next twenty plus years as opposed to an IA system you know, so again we really appreciate you being willing to consider this; it's my job to and thank you for watching out for us; Cliff, thank you for letting me appeal to you and please don't go to the crew and tell them what I drive and leave me at the gate, okay; there's nothing here that is more worthy of any concern other than let's work together and get it done; the South Ferry does have a sign you know, can you swim; alright, Cliff thank you very much; thank you Board for _, is that so we are clear to build; we'll close that hearing; thank you very much for your consideration.

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 Kevin Robinson, 4 Little Ram Island Drive, for permission to install a mooring in Coecles Harbor off owner's dock, approximately 180 feet east in line with neighbor mooring (Stahl).

The Town 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 was six zero one to approve.

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 5:30 p. m. and called to order the public hearing to be held as advertised on the application of Stephen Coyle, 5 Sheep Pasture Lane, for permission to install a stake, mooring and pulley system in Coecles Harbor approximately 50 feet due east from the mean high water mark at the end of Cobbett's Lane; said stake, mooring and pulley system location was formerly occupied by the C-3012 Dennis Coyle stake, mooring and pulley system and designated as latitude 41.08788° north and longitude 72.32336° west.

The Town 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 meeting, six zero one, and by the way, I will only say it once, the one at the end is Mike Anglin who is the installer for these moorings so that's why he pulls himself out of the vote but it was approved, a takeover mooring, 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 5:31 p. m. and called to order the public hearing to be held as advertised on the application of Slade/Wise, c/o Lisa Slade, 55 Tuthill Drive, for permission to install a mooring in Shanty Bay of Coecles Harbor at a location designated as latitude 41.07358° north and longitude 72.28027° west; said mooring location was formerly occupied by the C-997 Dr. Arthur Wise mooring.

The Town 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 results, six, zero, one vote, it was a takeover, no problems 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 5:32 p. m. and called to order the public hearing to be held as advertised on the application of William H. Brayer III, 3 Cozy Lane, for permission to install a mooring in West Neck Creek at a location off the air strip in Westmoreland and designated as latitude 41.05421° north and longitude 72.356067° west.

The Town 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 on this was seven, zero, unanimous.

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 5:33 p. m. and called to order the public hearing to be held as advertised on the application of Jack Morgani/Geri Schmitt, 21 Tarkettle Road, for permission to install a mooring in Smith's Cove at a location designated as latitude 41.05133° north and 72.31513° west.

The Town 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 seven, zero, that one was also unanimously approved with the caveat, and they were called and they are complying that a heavier mooring should be installed because of the size of the boat.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I know Bert had some concerns about this one and I see he is on, Bert, did you want to speak to this; yes, the placement of this one is encroaching on a mooring that I have in that location and actually another mooring that you put in, in Smith's Cove, is encroaching on another mooring that I have over there and I was just wondering why, you know I didn't get the courtesy call from the committee that they were putting them in and I missed the meeting but anyway this one I caught and it's really too close to the mooring that's, that I have in there and so I would request it to be relocated and also of course the size of it, that's another issue but you know, I was talking to Gerry about it and I'm just, I'm not impressed with the committee about their choosing to lay out Smith's Cove, they know pretty well that moorings are gonna be

added there and they're just dropping them in, in a haphazard fashion, and I think they should refrain from you know, putting in moorings that way and they should consider gridding it out over there to give everybody a proper swing room and understand you know, the depth of the harbor and use it properly, I think they're just doing it for the convenience of the committee so that they don't have to review it and also sometimes the installer that's putting in the application, so to sum it up, I would not approve, I would ask you not to approve in the place that it's being asked for and to review, keep it open to find a mutually acceptable spot; were you at the meeting when they discussed it or no; no I was not; okay; could I just suggest Bert, have you put this in writing for the chairman, John Needham; no I have not put this in writing to them, is that a requirement; well it's not a requirement but I just think, as much time as you spend on the water and I'm not ____ an enormous amount ___ some of your comments ___ they painfully go through this and they measure each and every thing, the size of the mooring was not sufficient enough, heavy enough for the size of the boat but if you have a specific recommendation, my advice is you could attend the meeting and if perhaps there was a mistake made, whip off an e-mail or something to John and make him aware of it, see if you can get some feedback from him, I think that's the way to go, the committee is always open to criticism and we sometimes criticized ourselves as we have in one of these applications on a dock that we may very well talk about today so; Jim before you were on this Town Board many, many years ago, I was on the Waterways Management Advisory committee at its inception when Hoot Sherman formed it, I was you know, I was rotated off of it where some other members were and some of them got back on and I never got back on so if you'd like to put me on the committee I would accept that, we can expand the seats and I would gladly serve so as far as speaking to them or writing to them you know I could do that but I'm talking to the Town Board right now, I'm bringing my issues to the Town Board, the Town Board is elected, these committee members are appointed, they are not elected by the Townspeople at all, they have an indirect connection and I don't think it's particularly strong but like I said, I was on the committee once myself so I'm not gonna write to them, I will show up at the meetings occasionally when I can or if you appoint me I will attend the best I can but I'm bringing my issues to you so it's your job to either accept them or to not to; hey Bert, let me respond to that and basically it's the same thing that I responded to at the hearing we had or the resolution we did for the wetlands permit, you know we have committees that we appoint to listen to their recommendation and you know the WMAC gave us a recommendation and if you have an issue you really need to you know, address it with them first and I'm gonna recommend the we don't approve this one and you go back to them and make the case to them but for you to say well the Town Board is elected and we should address it, you know we're going off their, I mean we don't go out on the water and look at them, I'm not gonna go out on the water and look at them and that's what they're for and if we have to bring in the Bay Constable and get their input, we'll do that also but I know I think you need to, I don't care if you write the letter or if you go to the meeting but I think you need to address it with the people that we asked to make the recommendations on the moorings; okay Gerry, and I mean I hear you and you know if you think that's appropriate if you send it back to the committee, I will go and work with them to do it and, but you know you do have a contractor on that Committee, right, a mooring contractor within the Town; the perception is, that there's a lot of self-interest on that committee but the reality is there's more knowledge of the waterways on that committee that anywhere else on the Island, that's the reality, it's a two edge sword you know; Bert the only thing I could say is that all our Town committees, people rotate on, people rotate off as you've heard tonight, we've had a couple tonight so I would tell the Supervisor and I would communicate back to the committee, to John, the chairman of that committee, and that you're looking to get on that committee, and I will echo that to John and if we have somebody that looks like they're apt to not want to come back and serve or for some odd reason we, maybe consider that, maybe we would but a committee of seven people is fairly large and this one went exceptionally well but we've had meetings that two or two and a half hours with the three applications there, they don't just go through these applications like nothing, I will tell you, I think the committee has a fairly good balance, I think you just have to be careful, if you want to join something, your criticism, I don't know if it's valid or it's not valid and I'm not in judgment of you Bert, I don't know if your criticisms are valid, I know you as a hard working guy and feel you have the right motives for wanting to be on the committee so hey listen if something opens up I'd be more than happy to put your name up before the committee and have a you know, semi recommendation from the chairman; well the Town Board interviews candidates; yes, that's true; that's fine so Jim, you know, thank you but I'm just responding to the fact that you know I was in Town Hall and I was reading the board and I saw the application and I read it and I saw it so I, you know, to writing a letter to John you know, it might have gotten through to him but I couldn't guarantee that it would have gotten to the Town Board or to you before this hearing took place so you know as far as writing to them, that wasn't how I saw you know this functioning this way; __; and I agree with you, let's go back to the

committee, they usually allow me a certain amount of time at the end of the meeting to bring up anything that I, any concerns that I have so I appreciate that but certainly not within their decision making process; so Jim, I would make two suggestions, one, I would like to recess this hearing and two, if you could put on the agenda for the next meeting, talking about gridding Smith Cove; okay; okay; yes sir; is that okay with everybody; I have a question, I'm Jack Morgani, I'm the applicant; yes; what is all this mean; basically it means that you're gonna have to move a few feet one way or another; okay, I'm very flexible about location in Smith's Cove, I will go with any location that the Town deems to be beneficial, so if you could provide the coordinates; probably the best thing, if you could get together with Bert; I had a conversation with Bert last week, he had called me about the coordinates and said they may need to be moved and I told him that I'm fine with that so if somebody wants to provide me the coordinates to put on the application, I'll just rewrite it on the application, I can cosign is, whatever is the easiest thing for the Town I'm open to; well let's put it this way, the WMAC approved it, Bert if you come up with something that you're comfortable with that's in the same vicinity, that would be the easiest way to work and then give it back to the WMAC, let them say okay and we'll just get it done; if you decided that we might recess this, we might, we meet in another week or so, when Kristina is there, we actually lay this out based on the size of the boat and the navigational channels involved and we'll make sure if we have to move it ten or fifteen or twenty feet or more to a different location, we'll do so, we have the applicant here, Jack is nice enough to say, not a problem in Smith's Cove, hopefully we'll get you in a better Cove spot to which you desire so give us that opportunity and I'm sure; I think we just want to make sure that Jack understands that this isn't gonna take all summer to get done; oh no, no, no, no; sooner than later; next meeting; okay, then somebody will get in touch with me about what I need to do if anything; yeah, it might be good if we send you an invitation to that meeting so you so you can zoom in on it; okay; the next WMAC meeting is May first and the Town Board meeting is May seventh so if they approve it on the first and we can approve it on the seventh; yes; May third at six o'clock we go right on Zoom and we send you an invite, Kristina will send you; we have a special meeting on the nineteenth, maybe we can take care of it then; we have a meeting on the nineteenth of the Comprehensive Plan so maybe we can take that up and get it done right away Jack; Kristina will you get it touch with Jack to get his invite; yes; okay; that should take only a few minutes; see, we aim to please, okay great, thank you, Bert, thanks, same thing, and get on that nineteenth meeting Bert; thank you; okay so we're gonna recess that meeting.

The Supervisor declared the public hearing recessed at 5:45 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 227

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

"Whereas", Kevin Robinson, 4 Little Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor off owner's dock, approximately 180 feet east in line with neighbor mooring (Stahl), and

"Whereas", a public hearing was duly held on the 16th day of April, 2021, for all interested persons to be heard in favor of or in opposition, and

"Whereas", all interested persons were heard in favor or in opposition, now, Therefore

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 228

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

"Whereas", Stephen Coyle, 5 Sheep Pasture Lane, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor approximately 50 feet due east from the mean high water mark at the end of Cobbett's Lane; said stake, mooring and pulley system location was formerly occupied by the C-3012 Dennis Coyle stake, mooring and pulley system and designated as latitude 41.08788° north and longitude 72.32336° west, and

"Whereas", a public hearing was duly held on the 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 229

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Slade/Wise, c/o Lisa Slade, 55 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Shanty Bay of Coecles Harbor at a location designated as latitude 41.07358° north and longitude 72.28027° west; said mooring location was formerly occupied by the C-997 Dr. Arthur Wise mooring, and

"Whereas", a public hearing was duly held on the 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 230

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", William H. Brayer III, 3 Cozy Lane, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek at a location off the air strip in Westmoreland and designated as latitude 41.05421° north and longitude 72.356067° west, and

"Whereas", a public hearing was duly held on the 16th day of April, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 6:06 p. m., Supervisor Siller moved and Councilman Colligan seconded to adjourn this meeting.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

This motion was carried.

Dorothy S. Ogar
Town Clerk

April 27, 2021

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 27th day of April, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James Colligan and Michael Bebon and Councilwoman Amber Brach-Williams. Councilman Albert Dickson was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and approximately twenty-three persons were present.

The Supervisor called the special meeting to order at 3:29 p. m.

Supervisor Siller moved and Councilman Bebon seconded to approve the enactment of the waiver of notice to allow the special meeting to be held.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The motion was thereupon declared duly adopted.

RESOLUTION NO. 231

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Taylor Rando is hereby appointed to serve as Probationary Police Office effective April 26, 2021 at the annual rate of $66,120.87.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 232

Supervisor Siller 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 $1,650.00 from the 2021 A8160.490 landfill hazmat training account to Miller Environmental Group's Training Institute, 538 Edwards Avenue, Calverton, NY 11933 for six Highway Department, Landfill and Public Works employees to attend an eight hour hazwoper fresher training course on April 28, 2021 via teleconference.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilman Bebon, the special meeting was adjourned at 3:41 p. m.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

This motion was carried.

Dorothy S. Ogar
Town Clerk

May 7, 2021

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 7th day of May, 2021 via Zoom. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and ten persons were also present.

The Supervisor called the meeting to order at 4:33 p. m.

Salute to flag.

The Supervisor presented the following statement:

This is the May 7, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting.

The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

Correspondence included the following:

1. A letter from the Conservation Advisory Council supporting the recommendations completed to date by the Shoreline Access Task Force.
2. A letter from Lora Lomuscio requesting the Town Board to consider her thoughts and recommendations when weighting decisions regarding Town landings.
3. A letter from Cora Bindler opposing the requested ferry increase by North Ferry.

RESOLUTION NO. 233

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

"Whereas", 82 Peconic LLC, c/o Gail B. Chester and Alexander C. Chester III, 82 Peconic Avenue, has petitioned the Town of Shelter Island for permission to remove and replace (in-place) approximately 199 linear feet of existing timber bulkhead and plus forty feet of timber return with vinyl bulkhead and return, backfill with approximately 50 cubic yards of clean sandy fill to be trucked in from an approved upland source, and reconstruct (in-place) existing 4' by 7' timber steps, 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 4:40 p. m., prevailing time, on the 28th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 234

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

"Whereas", George Gilpin, 21 Quaker Path, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.0805788° north and 72.32096° 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 28th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 235

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Thomas H. Bishop, 10 South 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 41.07824° north and longitude 72.296648° 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 4:44 p. m., prevailing time, on the 28th day of May, 2021, for all interested persons to be heard in favor of or in opposition to said installation.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 236

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", the term of Gregory Toner as a member of the Water Advisory Committee expired on April 2, 2021, 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, 2023.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 237

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

"Whereas", the term of Sara Gordon as a member of the Green Options Advisory Committee will expire on May 10, 2021, and

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

BE IT RESOLVED, That Sara Gordon is hereby reappointed to serve as a member of the Green Options Advisory Committee for a term to expire on May 10, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 238

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

"Whereas", the term of Michael Bebon as a member of the Water Advisory Committee expired on April 2, 2021, and

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

BE IT RESOLVED, That Michael Bebon is hereby reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2023, and shall serve as Chairman of said Committee for a term to run coterminously with his term as member.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	abstain
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 1 abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 239

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

"Whereas", the term of Ken Pysher as a member of the Water Advisory Committee expired on April 2, 2021, and

"Whereas", Mr. 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, 2023.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 240

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement check in the amount of $24.05 received from Ready Refresh to the A1620.408 Buildings repairs and maintenance account, and the reimbursement check in the amount of $1,025.17 received from NYMIR to the DA5130.446 Highway Machinery contractual account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 241

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $200.00 from the A1490.421 Public Works Congdon's Creek dock account to the Department of Environmental Conservation for the application fee for a permit for the proposed bulkhead replacement at Congdon's Creek dock.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 242

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

"Whereas", pursuant to Town Code Section 36-14.2, the Crow's Nest Bar & Grill, LLC (DBA The Islander) has petitioned the Town Board for a license to park and operate a commercial business food trailer at Crescent Beach for the 2021 summer season, and

"Whereas", the Town Board has reviewed said application and determined that the granting of the license is in the best interest of the Town of Shelter Island, now, Therefore

BE IT RESOLVED, That the Crow's Nest Bar and Grill is hereby granted a license to operate a food truck at Crescent Beach at the start of the non-permit parking area, Memorial Day weekend through Labor Day subject to the following conditions:

a) The licensee possesses all necessary State and County licenses; and

b) The licensee complies with all Federal, State and local executive orders related to the COVID-19 pandemic; and

c) The licensee shall obtain appropriate insurance as set forth in its application; and

d) The location of the licensee's business is subject to review and adjustment by the Shelter Island Police Department and the Shelter Island Highway Department; and

e) The provision of the receipt of the application fee of $250.00.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 243

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

"Whereas", Venture Out Shelter Island, LLC has petitioned the Town Board for a license to operate a Commercial Activities business at Crescent Beach for the 2021 summer; and

"Whereas", the Town Board has reviewed the application and determined that the granting of the license is in the best interest of the Town of Shelter Island; now, Therefore

BE IT RESOLVED, That Venture Out Shelter Island, LLC is hereby granted a license to operate a paddleboard rental business in the central portion of Crescent Beach through Labor Day weekend 2021, subject to the following conditions:

a) The licensee possesses all necessary State and County licenses; and

b) The licensee complies with all Federal, State and local executive orders related to the COVID-19 pandemic; and

c) The licensee shall obtain appropriate insurance as set forth in its application; and

d) The location of the licensee's business is subject to review and adjustment by the Shelter Island Police Department and the Shelter Island Highway Department; and

e) The provision of the receipt of the application fee of $250.00.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 244

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

"Whereas", pursuant to Town Code Section 36-14.2, Kayak Shelter Island, LLC, has filed an application with the Town Board for guided kayak tours and rental of kayaks and paddleboards off the Burns Road Town landing for the 2021 summer season, and

"Whereas", the Town Board has reviewed said application, now, Therefore

BE IT RESOLVED, That the Town Board does hereby grant authorization to Kayak Shelter Island LLC to conduct said activity for the year 2021, upon the receipt of the application fee of $250.00.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 245

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", pursuant to Town Code Section 36-14.2, Alexandre Roy of Bonheur Supreme Spa has filed an application with the Town Board to operate a massage business at Crescent Beach for the 2021 summer season, and

"Whereas", the Town Board has reviewed said application, now, Therefore

BE IT RESOLVED, That the Town Board does hereby grant authorization to the Provider to conduct said activity upon receipt of the application fee of $250.00.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 246

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", filming permit number 85 was issued on May 3, 2021 to Jenny Landey Productions for filming at 41 North Menantic Road on May 3 and 4, 2021, 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, 207 Three Mile Harbor, HC Road, East Hampton, New York 11937.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 247

Councilman Dickson 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 $1,360.89 from the Town Board office and miscellaneous A1010.484 account to the Suffolk County Comptroller for 2020 taxes due on Town owned property designated as Suffolk County Tax Map Number 0700-015-03-001.5 and located at 10 Manwaring Road.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 248

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

BE IT RESOLVED, That pursuant to Chapter 36 of the Town Code, the Town Board hereby increases the application fee for Commercial Activities on Town Property from $150.00 to $250.00 effective retroactive to January 1, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 249

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

"Whereas", South Ferry, Inc. ("Applicant"), 128 South Ferry Road, has applied to the Shelter Island Town Board for permission to remove the existing 2 story barn, wood shed, metal containers and office trailer (one existing 400 square foot shed shall remain) and replace them with a new 5,764 square foot 2 floor structure to be used to support South Ferry service and which will include a work area, meeting room, office, half bathroom, engine rebuilding room, engine storage room and parts room; and

"Whereas", the project will include the installation for a new nitrogen reducing septic system (for which the Applicant may seek partial funding from WQI grants) and 3 new storm water drywells; and

"Whereas", the applicant has obtained a permit dated January 13, 2020 numbered C07-19-00002 from the Suffolk County Department of Health Services for installation of a conventional septic system, but has agreed to seek a new permit for a nitrogen reducing septic system; and

"Whereas", sections 133-33 and 133-36 of the Shelter Island Town Code require all proposed structures to be used by ferry companies to obtain a special permit from the Town Board prior to the issuance of a building permit; and

"Whereas", the Planning Board has reviewed the application and recommended approval; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on April 16, 2021, and

"Whereas", this Board 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 finds that this is a Type II action which will not result in a significant adverse impact on the environment as the entirety of the construction is within a pre-existing structure with a sufficient septic system; and

BE IT FURTHER RESOLVED, That the Town Board makes the following findings as to the special permit application: this project is necessary for the continued operation of the ferry, is suitable for this area, will not be detrimental to surrounding property, will be harmonious with the character of the existing and probable development of uses in this vicinity, and will not be an inconvenience to the community; and

BE IT FURTHER RESOLVED, That a special permit for the above described work to be conducted at the premises is hereby granted to the extent that all work is conducted as depicted on the plans of Matthew Sherman of Sherman Engineering and Consulting dated April 29, 2019 (Septic Plan – as to be amended for a nitrogen reducing septic system) and October 21, 2019 (Site Plan) based upon the survey of Michael Hemmer, LS, PC dated December 4, 2017 and last revised July 31, 2018, subject to the following conditions:

1. Construction materials and equipment shall be staged outside the regulated area; and
2. Parking of all construction and delivery vehicles shall be on premises; and
3. No public street or public or private right-of-way may be obstructed or impaired during construction; and
4. Applicant must repair any damage to any adjacent road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
5. 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

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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 250

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

. "Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island 10K Run Board has requested permission as per application, to hold the 41st annual Shelter Island 10K Run on Shelter Island on Saturday, June 19, 2021, from 5:00 p. m. to 7:00 p. m., at the Shelter Island American Legion Post and Shelter Island School; 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 the Shelter Island Police Department is authorized to take reasonable security precautions especially at the race start and finish areas to protect the runners, residents, and visitors to the 41st annual Shelter Island 10k Run and the 5K Fun Walk, and

BE IT FURTHER 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 251

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:46 p. m., prevailing time, on the 28th day of May, 2021, 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 use of funds from the Water Quality Initiative to pay the annual dues to the Peconic Estuary Partnership, to wit:

The Supervisor is hereby authorized to expend the amount of $5,950.00 from the Water Quality Initiative funds from the Community Preservation Funds account for the payment of the annual dues to the Peconic Estuary Partnership.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 252

Councilman Dickson 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 4:50 p. m., prevailing time, on the 28th day of May, 2021, 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 REVISE PARKING REGULATIONS AT SHORE ACCESS POINTS, to wit:

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

SECTION 1. Chapter 36 of the Town Code is hereby amended as follows:

§36-3 is amended in that the definition of RESIDENTS is repealed.

§36-5 is repealed.

§36-6 is repealed.

SECTION 2. Section 126-8 is hereby amended as follows:

Subsection C is repealed and replaced as Follows

C. Wades (Tuthill's) Beach

1. No person shall park a motor vehicle or motorcycle at any location within the parking lot area at Wade's (Tuthill's) Beach unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

2. There shall be no parking on either side of Midway Road from a point 300 feet north from the entrance to Wade's (Tuthill's) Beach to a point 600 feet east from the entrance to Wade's (Tuthill's) Beach at any time when parking permits are in force.

Subsection F. is repealed and replaced to read as follows:

F. Menhaden Lane

1. No person shall park a motor vehicle or motorcycle on any portion of Menhaden Lane where parking is permitted unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

2. There shall be no parking on the north side of Menhaden Lane at any time when parking permits are in effect.

3. There shall be no parking on the south side of Menhaden Lane from a point 138 feet east of Gardiner's Bay Drive and running in an easterly direction for a distance of 75 feet at any time when parking permits are in effect.

4. There shall be no parking on either side of Gardiner's Bay Drive from a point 600 feet north from Menhaden Lane to a point 600 feet south from Menhaden Lane at any time when parking permits are in force.

Subsections G and I are repealed.

Subsection P is repealed and replaced to read as follows:

P. No person shall park a vehicle for more than one hour between the hours of 9:00 a.m. and 5:00 p.m., on the east side of Grand Avenue from a point 25 feet north of Chase Avenue to a point 15 feet south of pole No. 12 at any time that parking permits are in effect.

Subsection Q is repealed and replaced to read as follows:

Q. No person shall park a vehicle for more than one hour between the hours of 9:00 a.m. and 5:00 p.m. on the west side of Grand Avenue from a point 50 feet north of the intersection of Grand Avenue and Chase Avenue to the alley between the Shelter Island Heights Pharmacy and the Chequit Inn at any time that parking permits are in effect.

Subsection R is repealed and replaced to read as follows:

R. No person shall park a vehicle for more than two hours between the hours of 9:00 a.m. and 5:00 p.m. on the east side of Grand Avenue between the intersection of Grand Avenue and Meadow Place and the intersection of Grand Avenue and Chase Avenue at any time that parking permits are in effect.

Subsection S is repealed and replaced to read as follows:

S. No person shall park a vehicle for more than two hours between the hours of 9:00 a.m. and 5:00 p.m., on the west side of Grand Avenue between pole No. 19 and pole No. 15 at any time that parking permits are in effect.

Subsections X, Y and Z are repealed.

Subsection CC is repealed and replaced as follows:

CC. Fresh Pond

1. No person shall park a motor vehicle or motorcycle on the South side of Fresh Pond Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

2. There shall be no parking on the east side of Lake Drive for a distance of 200 feet north and south of the intersection of Fresh Pond Road and Lake Drive.
3. No person shall park a motor vehicle or motorcycle on Fresh Pond Road between Lake Drive and Fresh Pond unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
4. There shall be no parking on the north side of Fresh Pond Road between Lake Drive and Fresh Pond.
5. There shall be no parking on the west side of Lake Drive commencing at the intersection of the southerly side of Fresh Pond Road and Lake Drive for a distance of 260 feet south.
6. There shall be no parking on the west side of Lake Drive commencing at the intersection of the northerly side of Fresh Pond Road and Lake Drive for a distance of 225 feet north.

Subsection DD is repealed.

Subsection II (2) is repealed and replaced as follows:

1. No person shall park a motor vehicle or motorcycle on Daniel Lord Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

Subsection JJ is repealed and replaced as follows:

JJ. Bootlegger's Alley.

1. No person shall park a motor vehicle or motorcycle along the waterfront on Bootlegger's Alley and on the southeastern side of Bootlegger's Alley from the beachfront running east (landward) for 160 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
2. No person shall park a motor vehicle or motorcycle on the northwest side of Bootlegger's Alley commencing 100 feet from the beachfront running east (landward) for 335 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
3. No person shall park a motor vehicle or motorcycle on the northwest side of Bootlegger's Alley commencing 30 feet from the intersection with Brander Parkway running west (seaward) for 290 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
4. There shall be no parking at any other location on Bootlegger's Alley at any time that parking permits are in effect.
5. There shall be no parking on Brander Parkway or West Neck Road within 50 feet of the intersection with Bootlegger's Alley.
6. There shall be no parking within six feet of any driveway or intersection on Bootlegger's Alley at any time.
7. There shall be no double parking anywhere on Bootlegger's Alley at any time.

Add the following section:

KK. Congdon Road

1. There shall be no parking on the northern side of Congdon Road from the shoreline running west (landward) for 60 feet at any time that parking permits are in effect.
2. There shall be no parking on the southern side of Congdon Road from the shoreline running west (landward) for 90 feet.
3. No person shall park a motor vehicle or motorcycle on the southern side of Congdon Road commencing 90 feet west from shoreline running west (landward)) for 150 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
4. The area on the northern side of Congdon Road commencing 60 feet west from the shoreline running west (landward) for 90 feet shall be reserved for permitted trailer parking.

Add the following section:

LL. Crab Creek Road

1. There shall be no parking on either side of Peconic Avenue within 100 feet northwest of the intersection with Crab Creek Road at any time that parking permits are in effect.
2. There shall be no parking on the northern side of Peconic Avenue within 100 feet southeast of the intersection with Crab Creek Road at any time that parking permits are in effect.
3. There shall be no parking on either side of Crab Creek Road within 50 feet northeast of the intersection with Peconic Avenue at any time that parking permits are in effect.
4. No person shall park a motor vehicle or motorcycle on the northern side of Peconic Avenue within 100 feet of the intersection with Crab Creek Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

Add the following section:

MM. Hiberry Lane

1. No person shall park a motor vehicle or motorcycle on the northwest side of Hiberry Lane commencing 100 feet from shoreline running southwest (landward) for 100 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

2. No person shall park a motor vehicle or motorcycle on the southeast side of Hiberry Lane commencing from shoreline running southwest (landward) for 85 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
3. There shall be no parking on the northwest side of Hiberry Lane commencing from shoreline running southwest (landward) for 100 feet at any time that parking permits are in effect.
4. There shall be no parking on Hiberry Lane between Point Lane and Dinah Rock Road at any time that parking permits are in effect.
5. There shall be no parking on either side of Point Lane within 50 feet of the intersection with Hiberry Lane at any time that parking permits are in effect.
6. There shall be no parking on the northeastern side of Dinah Rock Road within 50 feet of the intersection with Hiberry Lane at any time that parking permits are in effect.

Add the following section:

NN. Reel Point

1. There shall be no parking on the eastern side of Club Drive commencing from the shoreline running north (landward) for 235 feet at any time that parking permits are in effect.
2. No person shall park a motor vehicle or motorcycle on the western side of Club Drive commencing from the shoreline running north (landward) for 200 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

Add the following section:

OO. South Ferry Hills

1. There will be no parking on the northern side of the Town Landing.
2. There shall be no parking on the southern side of the Town Landing commencing at the western edge of the Town Landing and continuing 40 feet eastward toward Thompson Road.
3. No person shall park a motor vehicle or motorcycle on the southern side of the Town Landing commencing 40 feet east of the western edge of the Town Landing and continuing 60 feet eastward toward Thompson Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

SECTION 3. The following are hereby added to Chapter 126 of the Shelter Island Town Code.

§126-8.3. Parking Permits Required

A. All motor vehicles or motorcycles using any parking areas designated as "Parking by Town Permit Only" as set forth in this Chapter shall display a sticker which will be issued by the Town Clerk to domiciled residents of the Town of Shelter Island.
B. The regulations requiring Town issued parking stickers shall be in effect 24 hours per day from May 15 through September 15 unless the Town Board shall establish, on its own motion, alternate hours of the day and dates on which a parking sticker shall be required.
C. There shall be open parking at locations otherwise marked as "Parking by Town Permit Only" at any time that parking permits are not in effect.
D. The Town Board shall establish, on its own motion, the fee to be charged for parking stickers issued on a daily, weekly, monthly and seasonal basis.
E. All permit types as defined below shall be acceptable for parking at any location where such permits are required.
F. Parking stickers shall be displayed on the driver's side bottom corner of the rear bumper of a motor vehicle or on the rear mudguard of a motorcycle.

§126-8.4. Parking Permit Types

A. Multi-Year Resident Permits shall be available only to domiciliaries of the Town of Shelter Island to include owners of real property and Lessees for a period of one year as well as their immediate families residing with them at their Shelter Island address.
B. Weekly, Monthly and Seasonal Permits shall be available as follows:
1. To domiciliaries for their out-of-town guests.
2. To lessees of real property for a period of at least 1 week.
3. To registered guests of Shelter Island hotels, inns, tourist cabins, rooming houses and bed and breakfasts. (Proprietors of these establishments may purchase parking stickers in quantity for the fee established by the Town Board for resale to residents of their establishment at the same fee.)
C. Daily parking permits shall be available to the general public subject to the following:
2. The number of daily parking permits shall be limited. The number of daily permits available each day shall be determined by the Town Supervisor in consultation with the Town Clerk, Chief of Police, Superintendent of Highways.
3. Daily permits may be limited to use at particular locations to be determined by the Town Board.

§ 126-8.5. Determination of Residency

The Town Board, on its own motion, may establish criteria to determine residency for the purpose of qualifying for parking permits.

SECTION 4. Effective date

This local law shall become effective immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 253

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 4:52 p. m., prevailing time, on the 28th day of May, 2021, 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 Opting out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites, as follows:

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

A local law to opt out of allowing cannabis retail dispensaries and on-site consumption sites as authorized under Cannabis Law Article 4 Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Shelter Island that would otherwise be allowed under Cannabis Law Article 4.

New York Cannabis Law requires Towns to opt out prior to December 31, 2021 or forever lose the right to do so. Thus, in order to allow the public to decide for themselves by permissive referendum whether to allow retail dispensaries and on-site consumption in the Town of Shelter Island it is necessary to opt out at this time.

Section 2. Authority.

This local law is adopted pursuant to Cannabis Law §131 which expressly authorizes the town board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

Section 3. Local Opt-Out.

The Town Board of the Town of Shelter Island hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.

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. Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure outlined in Municipal Home Rule Law §24.

Section 5. Effective date.

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 254

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

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:54 p. m., prevailing time, on the 28th day of May, 2021, 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 REGULATE TOBACCO, CANNABIS & PUBLIC SMOKING, as follows:

Be it enacted by the Town Board of the Town of Shelter Island, to wit:

Section 1. Purpose

The Town of Shelter Island wishes to preserve the health and safety of its citizens and guests and to ensure that all persons using Town property are free from the effects of secondhand smoke.

Section 2 – Amendment

A new Chapter 116 – Tobacco, Cannabis & Public Smoking shall be created as follows:

116 – Tobacco, Cannabis & Public Smoking shall be created

ARTICLE 1 – PUBLIC SMOKING

§116-1 Purpose

It is the intent of this article to protect the health and safety of the public at heavily used public locations particularly those frequented by families with children from the effects of secondhand smoke and to ensure their quiet enjoyment of such Town properties.

This Chapter is adopted as a local law pursuant to the authority conferred in Article IX of the New York State Constitution; Article 2, §10, of the New York Municipal Home Rule Law; and Article 4 of the New York Town Law.

§116-2 - Exemption from liability:

This Chapter shall not be construed to subject the Town of Shelter Island, any Fire District or Fire Department therein or any officers or employees thereof to any civil or other liability for any damage to persons or property.

If any provision of this Chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this Chapter.

§116-3 Smoking Prohibited on Certain Town Properties

Smoking, to include burning or vaping of any material, including but not limited to tobacco, hemp and marijuana, shall be prohibited at all times at the following locations:

A. Crescent (Louie's) Beach

B. Wade's (Tuthill's Beach)

§116-30 Penalties

Violation of any provision of ARTICLE 1 of this Chapter shall be a violation under the Penal Law and subject to a fine of not more that $250 or imprisonment of not more than 15 days. Each incidence of non-compliance shall be considered a separate violation.

Section 3. Severability

If any provision of this Chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this Chapter.

Section 4. Effective Date

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 255

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", the Nutrition Program has received a donation in the amount of $75.00, that the program director would like to use for food purchases, and

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

BE IT RESOLVED, That the following 2021 budget revisions are hereby approved:

$75.00 increase to the 2705N Nutrition Program donations revenue account, to be funded by said donation, and

$75.00 increase to the 2021 A6772.400 Nutrition Program food expense account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 256

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $10,000.00 from the Ambulance Equipment Capital Reserve Fund to Hendrickson Fire Rescue Equipment, 140 Hoffman Lane, Islandia, NY 11749 for the contract signing deposit on the chassis of the 2022 ambulance.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 257

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

BE IT RESOLVED, That the following transferal of 2021 funds is hereby approved:
$3,200.00 from the A8160.200 Landfill miscellaneous equipment account to the A8160.201 Landfill recycling center roof account; and

BE IT FURTHER RESOLVED, That the following 2021 budget modification is hereby approved:
$2,000.00 from the Waterways Fund unexpended balance to the A5710.400 Waterways Management expense account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 258

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

BE IT RESOLVED, That 2021 general claims numbered 485 through 619 in the amount of $121,077.41, 2021 Community Preservation Fund claims numbered 7 through 8 in the amount of $334.17, 2021 highway claims numbered 67 through 86 in the amount of $25,130.47, and 2021 West Neck Water claims numbered 14 through 15 in the amount of $3,946.00 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:15 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Carl Norr, 12 North Midway Road, for permission to install a stake, mooring and pulley system in Coecles Harbor near the Stone Wall.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: the WMAC met on Monday, May third, a vote was not taken for the following reason, that we had turned down other applications for the Stone Wall area so John Needham who is the WMAC person tried to contact Mr. Norr the entire week and was not able to get him, we did find new coordinates for him so we have something to offer but without his approval we could not take an official vote so we have to look at that again.

The Supervisor declared the public hearing recessed at 5:16 p. m., and called to order the public hearing on the application of Andrew Langham, 34 Stearns Point Road, for permission to install a mooring in West Neck Bay at a location designated as latitude 41.06565° north and longitude 72.36418° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board which was as follows: WMAC met on April fifth, two meetings ago, by a vote of six, zero, one, Mike Anglin abstained because he's putting in this mooring, to approve this mooring, it's just takeover mooring, 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 5:17 p. m., and called to order the public hearing to be held as advertised on the application of Jeffrey and Tara Coniaris, 82 Gardiner's Bay Drive, for permission to install a mooring in Gardiner's Bay at a location designated as latitude 41.105312° north and 72.328260° west; said mooring location was formerly occupied by the O-3443 Alli mooring.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: we met again two meetings ago on April fifth and approved that mooring six, zero, one, not a problem.

The Supervisor opened the hearing for all interested persons to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:18 p. m. and called to order the public hearing to be held as advertised on the application of Stanley Church, 52 Tuthill Drive, for a wetlands permit to enclose an existing covered porch area to be living space.

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

The Supervisor called for the reports of the Conservation Advisory Council and Planning Board.

Councilman Colligan presented the report of the Conservation Advisory Council, which was as follows: the CAC met on April twentieth to approve, it was approved unanimously, the CAC recommends the applicant modernize his __ and that was the only recommendation that they gave, but other than that it was approved.

Councilman Bebon presented the report of the Planning Board, which was as follows:
9 November 2020
Re: Church Wetlands permit application
52 Tuthill Drive
Shelter Island, NY 11964
SCTM #700-12-2-18.2
Zone AA reverting to A, Near Shore and Peninsular Overlay District

The Planning Board is in receipt of a wetlands permit Application prepared by Sherman Engineering & Consulting, P.A. dated February 29, 2021 to allow for conversion of an existing covered porch area (approximately 240 sq. ft) to become enclosed, conditioned living space. The house already has a second floor over the existing porch, and there will be no additional impermeable surface added. It is their stated intention to build on top of the existing slab and that "No earth will be disturbed to create runoff," and that work is limited to the area of the existing patio.
The existing 3 bedroom 2,149 sq. ft. structure, circa 1991 is non-conforming to our current Zoning Code, sitting on a sub-standard sized lot, but it received a ZBA variance when built.
The lot is bulk-headed, and most of the existing porch is within 75' of the wetlands boundary and all of it is within the 100' Town regulated Wetlands.
The total area of the parcel is .39 acres.
There is a NYSDEC Letter of No Jurisdiction #1-4732-00083/00001 dated September 3rd 1991, based on the existence of a functional seawall more than 100 feet in length that was constructed before August 20th 1977.
There is a SCDHS Permit Reference #91-S1-D3 dated October 1st, 1991, for a conventional septic system approved for a de facto 4 bedrooms total for the original structure (at the time that the permit was issued they did not provide a bedroom count unless it exceeded the base 4-bedroom, 1000-gallon septic tank system). Application asserts that the existing home has 3 bedrooms.
There is a ZBA approval #16-2020 dated January 27, 2021 for the front yard setback relief of 6'-0" based on drawings by M Sherman dated October 10th 2019.
Planning Board Members visited the site, reviewed the surveys while on site and considered all submissions presented to them.
We submit the following observations:
The existing two story 2,149 sq. ft. structure, circa 1991, with three bedrooms and unfinished basement, is non-conforming to our current Zoning code.
The existing residence and its appurtenances sit on a substandard lot that consists of two smaller lots which were merged. It should be noted that the original lot merger was not filed with Suffolk County until August 23rd 2019, and unbeknownst to the Town the residence straddled two legally non-merged lots for 28 years.
The Lot has a pool (Building Permit dated August 6, 1992) with patios and a pergola all within both the 75' wetlands and 100' additionally regulated Town wetlands.
The existing sanitary system is located outside the Town Wetlands regulated area, and because the additional living space does not exceed 1,500 square feet and does not add bedrooms beyond what has already been approved by SCDHS, no upgrade to an I/A system is required by Shelter Island Town Code.
It is worth noting that the original SCDHS sanitary system Permit has a requirement for an unspecified deed covenant, which appears to have been satisfied because final approval was given by the Health Department. Never the less, the HD permit does not specify what that covenant was, nor were members of the Planning Board able to find evidence, via the Assessor's Office, of any covenant having been attached to the deed. Given the location of the sanitary system, on the shoulder of Tuthill Rd, it seem likely that the covenant was for a traffic-bearing cap on the septic tank and leeching pools, but we have no specific information supporting this, only past precedent.
It should be noted that although the additional room being added is called a "Den" on the plans, and does not trigger a SCDHS permit, it does have a full bathroom and may well be used as a bedroom or occasional sleeping area by the current or subsequent owners, and therefore will impact the fragile water table on this already undersized lot, in an already compromised area, and the current project will, therefore, despite the applicants assertion otherwise, have some adverse environmental impacts.
No work to the existing dock is proposed at this time.
The existing stone bulkhead appears to be sound.
Planning Board Members saw no evidence of underground oil tanks, and the application claims there are none.
Proposed and Code required improvement and remediation includes:
Applicant asserts "that there will be no adverse environmental impacts from this project," and that therefore no mitigation measures are necessary. (see observation above).
We submit the following recommendations:
Because the existing lot is substandard (.39 acres) we recommend that the Town precludes further expansion beyond the current scope of work, including adding bedrooms in the future or the finishing of the existing, unfinished basement through a deed covenant.
We recommend that The Town precludes staging or storing of materials or vehicles in the regulated wetlands during construction.

We recommend The Town takes them at their word that they are going to leave the existing slab intact, and limit the design to working within that parameter, namely that, to quote the applicant: "No earth will be disturbed to create runoff," and therefore preclude their removing the existing slab without additional Town Wetlands Permits or ZBA approval.
With these consideration, the Planning Board recommends approval of this application.
By: Edward Hindin, Planning Board Member
Reed Karen, 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: Matt Sherman of Sherman Engineering and Consulting, I'm here on behalf of Stanley and Kristen Church, they are the property owners, the Planning Board and CAC memos pretty much summed up this project pretty well, it's a pre-existing covered porch, we're just looking to enclose it, right now the first floor of the building does not have a bathroom so this new first floor addition enclosure will have the only bathroom on the first floor, contrary to what the Planning Board had assumed or inferred that this is gonna be a bedroom, it's not, does that mean that no one will ever sleep in this room, certainly it doesn't mean that but the idea of this room as a den, family room, that kind of a room, it's got, part of it having the only bathroom on the first floor is gonna make it a fairly uncomfortable bedroom if anybody on the first floor is going to use the bathroom, it's a very straight forward application, the septic system which as noted, was installed in the early nineties, they do have a pending approval with the Health Department for an IA system, however the property owners are in the middle of the grant process, so that basically puts the wastewater review process on hold until the grants get finalized, you guys had mentioned earlier in the week that there is a whole new funding efforts for those County grants so a lot of these projects that are on hold will hopefully get kicked out at the end of the process pretty soon and we're keeping our fingers crossed that this will be one of them, the existing well is on the waterside of the property which will allow them to put the septic on the roadside of the property, the existing slab that the area is going to be built over top of is going to remain, the only thing that's going to change is they're gonna have to do a couple of saw cuts to get lines over into the main foundation but that's it as far as any type of work to the existing slab so everything will be confined underneath the existing roof line and within that covered porch area, that's what was approved by the ZBA and we're asking the Town Board to approve; any comments from the public; Gerry, the CAC, I just wanted to mention that they had approved it with the same general comments that Mike had made and the one strong comment they were trying to make is they realized that they did not have to conform with the IA system but if at all possible, to try to have that and that just covered that, so.

The Supervisor declared the public hearing closed at 5:25 p. m. and called to order the public hearing on the application of James Olinkiewicz, 28A South Menantic Road, for a wetlands permit to place existing decking on waterside deck, replace support structure as needed, and construct new cantilevered upper deck.

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

The Supervisor called for the reports of the CAC and Planning Board.

Councilman Colligan presented the CAC report, which was as follows: the CAC did approve this, the first comment they made was the house never should have been built in this area but you know, that's their headache, it happened, the CAC did recommend and realized that they did not have to do that, a new IA system if at all possible, in the absence of a new IA system, they would at least say, pump the current out, it hasn't been pumped in quite a few years so to try to clean it up as much as possible but they did vote five to zero to approve; how did they know it hasn't been pumped; I think Matt was on the line, so Matt you have to answer the question; they asked if it was found when they were doing some site work but they did not pump it out.

Councilman Bebon presented the Planning Board report which was as follows:
6 May 2021
Re: James Olinkiewicz
28A S. Menantic Road
Shelter Island, NY 11964
SCTM #700-22-02-02.18
Zone A Residential, within the Near Shore and Peninsular Overlay District

We are in receipt of a Wetlands Application from Jim Olinkiewicz of 28A S. Menantic Road prepared by Sherman Engineering and Consulting dated February 28, 2021, based on a Letter of Denial from the Building Department dated January 29, 2021.
The applicant wishes to replace 1,190 sq. ft. of decking on an existing first level deck and construct a new 68 sq. ft. second level deck that is above the footprint of the first level deck. The decking begins right at the edge of the bulkhead which is the high-water mark and runs in a straight line for more than 100 feet along the bulkhead and protrudes landward toward the house from 5.5 ft. to 10.5 ft.
The applicant has received a permit from the NYS DEC (#1-4732-01119/00001) dated December 2, 2020 which notes standard permit conditions.
Planning Board members visited the site on April 12, 2021 and made the following observations. The existing first level deck was rotten and we felt we had to walk on it with caution. The second floor deck had already been constructed. The owner, Jim, showed up while we were there and explained because the deck is cantilevered he had to install the framing for it while he was doing siding repairs to the house. He also reminded us of the 100 sq. ft. exemption and with the deck being 68sq. ft. he believed that he was within his rights to construct it. We also noted that the 2nd floor deck was clearly inside the footprint of the existing 1st floor deck.
In the Letter of Denial, Ms. Raymond points out that there are stone steps in the plans that were not in the plan submitted to the DEC. Mr. Olinkiewicz stated the stone steps replaced a set of rotting CCA pressure treated steps that his insurance company demanded. In a follow up email to his engineer, Mr. Sherman provided a letter from the Robert Brady Insurance Agency demanding such and also noting the steps were on the DEC application as items to be replaced. We don't want to make this an issue; steps are obviously needed to get to the lower level otherwise a hazardous situation would be created. Also, stone is a good choice as it doesn't leach chemicals into the ground or bay. It may be appropriate that the applicant clarify with the DEC that the installed stone steps are consistent with the approved plans.
We are in favor of this application. It is obvious the wood needs to be replaced and we are glad to see Ipe will be used as the decking as it is naturally rot resistant thus doesn't contain any chemicals. We recommend the replacement happen in small sections so no large amount of earth be exposed at one time.
Respectfully submitted,
Marcus Kaasik, Planning Board member
Edward Hindin, 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: again, Matt Sherman of Sherman Engineering, I'm here for Jim Olinkiewicz the property owner, this is a pre-existing deck, he's just looking to replace the decking on it, once they take the decking up, there might be some support structure that needs to be replaced, we won't know until we get down there and look but that in essence is what this whole project is, it's just basically routinely maintenance on an existing deck, the DEC permit had been for the replacing of those stairs, however when his insurance company said get the stairs out of there because they were a hazard, my recommendation to him was not to replace the stairs because they were already told that we had to come to the Town Board for a wetlands permit to do any type of maintenance on this deck area and replacing those stairs would have been much more significant than just putting the stone in place so it seemed like it was a prudent way to fix that immediate problem, other than that it's a, again another pretty straight forward application, we had looked at, when he first got the property, we had looked at putting in an IA system, putting in an application in to try and do one, it's, this one is not very simple like a lot of the others because of the separation distance between the system and utilities and other site improvements, replacing, putting in an IA system here is gonna be a much bigger chore, it could very well require Health Department variance, rerouting of a lot of underground utilities, stormwater control, things along those lines so this is, because the site is so small, it is so tight and it is so close to the water, it's one that really becomes a heavy lift trying to get that approved in a reasonable way; any comments, any questions; thank you; thanks Matt.

The Supervisor declared the public hearing closed at 5:30 p. m. and reconvened the recessed public hearing on the Morgani/Schmitt mooring.

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: that was approved, that was a seven, zero approval, I think we ended up getting the new grid coordinates for that if I'm not mistaken and; was this the one in Smith's Cove;

right; Dottie, did we end up getting new coordinates for that; yes we did; okay, because it is a large boat that they're attempting to put in there so that was a concern, it was approved with the idea of __.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Comments received were as follows: yeah Gerry, Bert, I think this was Jack's mooring that was placed too close to where I had a couple of moorings so I think I saw they were discussing it I think to one meeting that I went to and I think they resolved it but I didn't get a final placement so I can't say a one hundred percent but I'll just add that the pressure on that part of the, of Smith's Cove is because of the periodic installation of the fish trap there that is permitted so that needs to be taken into account in the future because it's not on the charts that the WMAC uses to determine where they're gonna place moorings; right, Jim did they begin a discussion of possibly gridding Smith's Cove; yeah they weren't really in favor of doing that, they thought it was a very large __ to do that and they felt that the current system that they have there does work, the one thing that they did talk about this morning was the heaviness of the mooring that they recommended a heavier mooring for the proposed vessel so that was something; right, yeah I remember that, he said a two hundred pound mushroom and they said that was; they needed bigger, and with that in mind; yeah and Kristina just texted me that they moved it significantly away from Bert's moorings; yeah they did, but I don't have the coordinates handy right here but it is a good distance away from Bert's; okay, any other comments on that one.

The Supervisor declared the public hearing closed at 5:34 p. m. and reconvened the recessed public hearing on the application of Peconic On Shelter, LLC, c/o Gary Sher, 68 Peconic Avenue, for permission to construct a 4' by 125' fixed dock with a 4' by 30' "L" section, construct a 4' by 30 lower platform on west side, install 60 feet of splashboard below offshore end and "L" section, install one 2-pile tie-off dolphin, provide for water and electrical service to offshore end of dock, construct access stairway from bulkhead on to dock and to beach, and install an 8,000 pound boatlift.

Councilman Colligan explained that this is one off of Peconic Avenue, right up the block from me, it's on the outside waters and normally dock lengths are limited to a hundred feet but in outside waters, the WMAC has granted one twenty-five and on occasions one fifty, this is, there was a lot of back and forth with this, one committee member was pretty much against putting a dock out here and just feels that docks are not safe for that area of the Island, the wind and the wave action just doesn't lend itself to be able to dock a boat safely in putting docks out there, however the committee did then vote six, zero, one to approve the dock but it came with a boat lift, it's an eight thousand boat lift and Jack was told that, we went back and forth between a hundred feed and a hundred twenty-five feet and then of course we agreed to the hundred and twenty-five feet to make it easier to maneuver the boat on the inside of the "L" so that was a little easier but then when the dock was added, it went beyond the hundred and twenty-five feet, it went out to one thirty-five or something of that nature, it got the committee's attention so the committee said no, with the boat lift, the maximum distance from the shoreline is one twenty-five, so they talked about the positioning of the boat lift being no further than, not at the end of the dock, but off of the __ of the dock so it's, I spoke to Jack Costello this morning and he agreed to put in new plans, which he submitted new plans but I guess, according to John Needham who I talked to today, he didn't show what demonstrates that he was twenty-five feet and Dottie was saying maybe it is thirty feet from the neighbor to the south so you have setbacks consideration for that so we would approve this not to exceed one hundred and twenty-five feet including the boat lift and the boat lift needs to be not on the end of the dock, it needs to be off the south side of the dock but also needs to you know, meet the setbacks from the neighbors to the south which I don't know if Dot has that right away but we thought it was either twenty-five feet or thirty feet and then we would be in the position to approve it and the approval would still be six, zero, one, I will tell you that there are, and Albert could probably chime in here as well, that there is some sentiment on the __ of the committee about, when you vote on something and you approve something, you're pretty much saying it is safe to do and they're thinking that with the winds that you get off, the southwest winds you get there year round and the wave that you get with whitecaps out there, that a boat lift out there is really not an advisable thing, is he entitled to do it, yes he is, are there other docks in the area, yes there are, I don't believe there are other docks with boat lifts but there are probably eight to ten along Peconic Avenue from Crab Creek down toward Shell Beach, in fact most of them, my neighbor across the street, she doesn't use hers at all, there hasn't been a boat on there, my neighbor next door hasn't put a boat on his, there are a lot of docks out there but there are not a lot of boats on these docks but that's what they agreed to do, they would approve this with the boat lift at one

twenty-five off the south of the dock with a minimum of setback as found in the regulations; hey Gerry there's just one thing I want to make clear is that when you approve these applications, you are not in any way guaranteeing that it is a safe thing to do, all you are saying is that it meets Town Code, it is not any guarantee of safety whatsoever; that's a good point Bob, it is a good point, I think the committee is getting to the point where they want to get that out that you are at risk when you do a project like this, Mr. Costello knows that and so does the homeowner, Mr. Sher, Dr. Sher, so they do know the sentiment of the committee and that's a good point that you make; Jack, do you want to say anything; alright, I make new plans showing that the dock will be thirty-five feet off that __, I e-mailed it to Jim, I don't know if you got a chance to see them, I sent them to John Needham and he said they were good, the boat lift will be on the east side of the dock towards the end and I basically did what everybody asked me to do, so we're gonna adhere to the twenty-five foot setbacks and I think the dock is located where it should be as of right now, like I said I don't know if Jim got a chance but in your mind's eye you could probably tell that, we had to shift the dock out five feet; okay; and the boat lift will not impinge upon that twenty-five foot setback; the boat will be on the southeast of the dock; yes; yeah that's good, I think that covers everything, thank you; any other questions or comments on this one; I have some comments Gerry, I just want to read the statement that the clerk from the WMAC submitted to the Board, that the WMAC is in strong agreement that the location of this dock and boatlift are inappropriate and potentially unsafe to the exposure of substantial wind and wave action along this section of shoreline and the lack of beach that dissipates the wave energy, the other thing is, in our Town Code we allow one hundred foot docks irregardless of whether we have allowed them longer in areas, our Town Code says a hundred foot and one member of the WMAC objected, I think for that reason and because of the unsafe condition, really that exists here, in spite of what you say Bob, I know some people I guess maybe they need to be protected from themselves but that obviously is not our position but I will take the position that Town Code and I'd like to support that idea with the WMAC and our normal length of one hundred foot should be in here too and I will adhere to that recommendation, thank you, that's it Gerry; I think in general, it's a rule of thumb on inland waters we definitely stick to a hundred, I think they usually give some leeway, Jim you could give me, back me up on this, I think on outside waters they do have a little leeway; they have, yeah they have, I mean obviously for those reasons we have approved in outside waters, docks greater than a hundred feet, prior to me being on here, I think we do have docks that go out one fifty and one seventy or maybe even beyond, the new dock, Dot if I'm wrong, the new dock over at Burns Road on the property where they're putting the five homes eventually, the community dock that's out there, that, sometimes you, we take every situation separately and review it, what we were not in favor of over at their place is that every one of those homeowners putting in separate docks and having five docks so what we did, we put in a community dock for those five properties, what's the name of property; Pandion; that's right, Pandion, thanks' Dot, so that was something and by the way it was needed a little bit more because of the water for the larger boats to come in, they take a look of the depth and things of that nature; Jim didn't that have something to do with navigability you know, turning around and getting in, because of the location of where it was, I thought that was something to do with it, it wasn't the depth of the water, it was more a matter; it was the matter of getting the boat in there safely, the fact of the matter, there's going to be a splashboard on the dock, it's integrated into the dock structure and the reason why we're asking for a hundred and twenty-five feet, a hundred would put the boat up on the beach and it wouldn't be a safe way with the waves breaking in there until Dr. Sher gets his boat inside the wave break to unload his passengers, and of course the boat lift will be you know, I'm sorry, I don't even hear that; I love it; I've got to move to my upstairs office; no that's okay, hey Jack hang in there; but I've got the dog chewing on my foot and the baby screaming, but it would be a hundred and twenty-five foot to get better navigability; and again this kind of goes to, last meeting when we had the wetlands permits, you know I make the statement that you know I'm not a wetlands permit expert and that's why we ask the Planning Board and the CAC to get involved and we ask the Waterways Management Advisory Council to give us their recommendations and the vast majority of it agreed with this so that's why we have them to give us their recommendations and if they weren't comfortable with it you know; I feel that the dock is very fair and there are other structures similar to it down to the east, you know, local docks; right; I have a question on the WMAC concern about safety, is it safety limited to the homeowner who is installing the dock and his boat or is there a concern about safety to adjacent residents or adjacent structures of the residents; I think it's mostly for the loading and unloading of passengers and the storage of the boat, when you use a boat and it is an eight thousand pound boatlift, they put it up, they were somewhat concerned with high winds and surf, Mike, it's an excellent question, obviously safety of the individual homeowner and his passengers but you know, to say that any of these structures could break apart in a storm and cause damage to a neighboring structure would be you know, would be wrong I mean, for that matter, all, when a hurricane

comes through and it hits Shelter Island pretty hard, there'd be a lot of floating debris in the water that could cause potential damage other than your premises; I was mainly asking you know, you mentioned prevailing southwest which I'm pretty familiar with, I get a hurricane, all bets are off but I would think differently if the safety were including potential impacts on adjacent property owners, but that's not what I'm hearing so thank you; anybody else; can I say something; sure; I mean the prevailing southwest, I mean a nuisance but they're not the dangerous winds over there, the dangerous winds would be coming out of the north and you certainly can build something large enough to withstand, just look at the ferry slips, the question is you know, how big are you gonna allow residential docks to be and the question is, I don't know how wide it is, is it still four feet wide Jack; it's four feet; you know, it gets a little uncomfortable you know if it's blowing really hard, to walk out on four feet and then you have, we're not getting as much ice as we used to I don't think that's as big a concern but I just think the north winds would be vulnerable over there and the question is I mean if you build it strong enough, the only thing I have concern about, if I was the neighbors, about the profile of the boat lift, I don't know if they ran that by them but the dock seems to be suitable, it's not a great place for it but you could certainly use it a portion of the time but you know, how high is that boat lift gonna be you know, they're not terrible with them but maybe the neighbor has something to say about it, that's about it.

The Supervisor declared the public hearing closed at 5:47 and reconvened the regular Town Board meeting.

RESOLUTION NO. 259

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

"Whereas", Andrew Langham, 34 Stearns Point Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.06565° north and longitude 72.36418° west, and

"Whereas", a public hearing was duly held on the 7th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

"Whereas", Jack Morgani/Geri Schmitt, 21 Tarkettle Road, have petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as latitude 41.05133° north and 72.31513° west, and

"Whereas", a public hearing was duly held on the 16th day of April, 2021, for all interested persons to be heard in favor of or in opposition, and

"Whereas", all interested persons were heard in favor 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 41.051484° north and 72.316220° west.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 261

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", Jeffrey and Tara Coniaris, 82 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 41.105312° north and 72.328260° west; said mooring location was formerly occupied by the O-3443 Alli mooring, and

"Whereas", a public hearing was duly held on the 7th day of May, 2021, and

"Whereas", all interested persons were heard in favor or in opposition, now, Therefore

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 262

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Peconic On Shelter, LLC, c/o Gary Sher, 68 Peconic Avenue, has petitioned the Town of Shelter Island for permission to construct a 4' by 125' fixed dock with a 4' by 30' "L" section, construct a 4' by 30 lower platform on west side, install 60 feet of splashboard below offshore end and "L" section, install one 2-pile tie-off dolphin, provide for water and electrical service to offshore end of dock, and construct access stairway from bulkhead on to dock and to beach, and

"Whereas", a public hearing was duly held on the 26th day of March, 2021, and reconvened on April 16, 2021 and May 7, 2021, 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, and

BE IT FURTHER RESOLVED, That since the owner has requested an 8000# elevator style boat lift to be installed on the south side of the dock that the dock with lift shall not impede on the (25 foot) setback to the extension of the property line with the neighbor to the south.

Roll Call Vote:	Councilwoman Brach-Williams	aye

	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	nay
	Supervisor Siller	aye
		4 in favor 1 opposed

The resolution was thereupon declared duly adopted.

At 5:56 p. m., Supervisor Siller moved and Councilman Bebon seconded, to adjourn said meeting.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The motion carried.

Dorothy S. Ogar
Town Clerk

May 28, 2021

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 28th day of May, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and approximately eleven persons were also present.

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

Salute to flag.

The Supervisor presented the following statement:

This is the May 28, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting.

The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

Correspondence included the following:

1. A letter from the West Neck Water District Board of Directors recommending the appointment of Miles Wilson to said Board.
2. Letters from the following persons opposing the Gardiner's Bay special permit:

Matthew Germann, Donna Jones Marfino, Nicholas Marfino, Dr. Jean-Pierre Lindenmayer, Patricia M. Shea, Brian T. Shea, The Ronanye Family, Colleen Fitzpatrick and Joseph LoBrutto, Gloria Viseltear-Reiss, Leslie and Jed Feldman, Melanie Coronetz and Bruce Miller, Jackson Malle, Annique DeCaestecker, Kimberly Noland, and Kim Bonstrom.

3. An e-mail from Peter S. Reich concerning reasons why a general contractor acquires a general contractor's license.

RECAP OF MONTHLY STATEMENT OF SUPERVISOR
APRIL 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	5,986,735.46	290,736.72	898,246.81	5,379,225.37	809,943.78
Hwy Checking	2,686,549.46	13,847.65	247,643.38	2,452,753.73	
T&AChecking	234,383.95	206,812.10	278,191.80	163,004.25	10,517.41
T&A Savings	12,238.86	0.30		12,239.16	
Hwy Cap Res	376,93982	9.29		376,949.11	
WNW Supply	33,940.98	8,414.78	8,576.72	33,779.14	134,267.92
Taylor's Island	44,124.84	0.36		44.125.20	
Comm Preserv	3,834,116.60	602,168.93	21,859.37	4,414,426.16	5,904,921.6
Waterways	151,691.95	7,757.50	559.30	158,890.16	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,375.51
Environmental	0.00			0.00	5,679.54
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	251,473.02			21,475.06	
Ambul Training	24,481.55	0.60		24,482.15	
TOTALS	15,943,323.16	1,129,750.27	1,455,077.28	15,617,996.15	7,236,705.22

RESOLUTION NO. 263

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

BE IT RESOLVED, That Aaron Wheat is hereby appointed to serve as Engineering Intern for the Town of Shelter Island for the year 2021 at the rate of $20.00 per hour, effective June 9, 2021 through August 6, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 264

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

BE IT RESOLVED, That Kevin Lechmanski is hereby appointed to serve as full time Network and Systems Specialist I for the Town of Shelter Island for the year 2021 at the rate of $80,000.00 per year.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 265

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon wit:

"Whereas", the term of Marc Wein as a member of the Deer and Tick Committee will expire on June 24, 2021, and

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

BE IT RESOLVED, That Marc Wein is hereby reappointed to serve as a member of the Deer and Tick Committee for a term to expire on June 24, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye

	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 266

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", the term of Tim Purtell as a member of the Green Options Advisory Committee expired on May 10, 2021, and

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

BE IT RESOLVED, That Tim Purtell is hereby reappointed to serve as a member of the Green Options Advisory Committee for a term to expire on May 10, 2024.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 267

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

"Whereas", a vacancy exists on the West Neck Water District Board of Directors, and

"Whereas", said Board of Directors has interviewed applicants and recommended that Miles Wilson be appointed to said vacancy, now, Therefore

BE IT RESOLVED, That Miles Wilson is hereby appointed to serve as a member of the West Neck Water District Board of Directors for a term to expire on April 27, 2025.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 268

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

BE IT RESOLVED, That Kelsey Lechmanski is hereby appointed to serve as FIT Aide for the year 2021, at the rate of $17.85 per hour.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

"Whereas", Benjamin Dyett, 19 Burns Road, has petitioned the Town of Shelter Island for permission to relocate a mooring from Coecles Harbor at a location designated as latitude 41,07492° north and longitude 72.31587° west to a location in Dering Harbor designated as latitude 41.08545° north and 72.346850176° west, which was formerly occupied by Dr. Charles Lewis, 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 18th day of June, 2021, for all interested persons to be heard in favor of or in opposition to the proposed relocation.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 270

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", John A. Fichthorn, 19 Montclair Avenue, has petitioned the Town of Shelter Island for permission to remove and dispose of 95 feet of face bulkhead and 9 foot east return, construct a new 95 foot face bulkhead and 9 foot east return, in-kind and in-place, raising the elevation to match the west neighbor, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 18th day of June, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 271

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Frederick K. Ivers III, 42 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor a location designated as latitude 41.07538° north and longitude 72.2856° west; said mooring location was formerly occupied by the C-1095 F. Kenneth Ivers II 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 18th day of June, 2021, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 272

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

"Whereas", sealed bids for the replacement of approximately 100 linear feet of existing timber bulkhead at Dawn Lane were received by the Town Clerk's office until 3 p. m. on the 24th day of March, 2021, and

"Whereas", the following bids were received:

Oysterponds Dock Building & Dredging:	total bid:	$54,834.00; and
Crowley Marine Contracting:	total bid:	$86,472.00; and

"Whereas", the Commissioner of Public Works has reviewed said bids and recommends that said bid be awarded to Crowley Marine Contracting, now, Therefore

BE IT RESOLVED, That the Town Board hereby awards said bid to Crowley Marine Contracting, the sole responsible bidder for the sum of $86,472.00.

Roll Call Vote:	Councilwoman Brach-Williams	aye

	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 273

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

BE IT RESOLVED, That the Town Board work session scheduled to be held at 1 p. m. on June 1, 2021 is hereby re-scheduled to be held at 1 p. m. on Wednesday, June 2, 2021.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 274

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

"Whereas", Stanley Church ("Applicant") has applied to the Shelter Island Town Board for permission to undertake significant construction within vegetative buffer and adjacent regulated area at 52 Tuthill Drive Shelter Island, New York and zoned Zone AA – Near Shore and Peninsular Overlay, designated as Suffolk County Tax Map 0700-12-2-18.2 (the "Premises"); and

"Whereas" the applicant proposes a small 240 SFLA addition to be accomplished by enclosing an existing covered porch; and

"Whereas", the proposed construction includes the following work at least partially within the 75' Vegetative Buffer: construction of the majority of a 240 SFLA addition to an existing 2149 SFLA 3 bedroom structure; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' Adjacent Regulated Area: a small portion of the above stated addition; and

"Whereas", all further work is proposed in conforming locations for which a wetlands permit is not necessary; 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 Zoning Board of Appeals issued variance number 16-2020 on January 27, 2020; and

"Whereas", the NYS DEC issued a letter of non-jurisdiction number 1-4732-00083/00001; and

"Whereas", the SCDHS approval is not required for this project; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on May 7, 2021, 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 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. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council; and
2. This project would have a minimal effect on the wetlands as it essentially involves enclosing an existing porch; and
3. The proposed project will not have a negative impact on the quantity and quality of groundwater; and
4. There are no practicable alternatives which allow the project to be constructed outside the regulated area; and
5. The proposed project has adequate mitigation measures proposed or required, including runoff controls, that contribute to the protection and enhancement of wetlands; and

6. This permit is issued solely for the purpose of allowing intrusion into the regulated area and is not intended to restrict or exercise control over the general aesthetics of the project; and

BE IT FURTHER RESOLVED, That a wetlands permit for the above described work to be conducted at the Premises is hereby granted to the extent that all work is conducted within the applicable setbacks as depicted on the on the site plan prepared by Matthew Sherman of Sherman Engineering and Consulting, dated October 10, 2019 and revised drawings March 3, 2021, and subject to the following conditions:

1. Construction procedures and erosion controls including the anchored installation and maintenance of wire backed silt fences during all stages of construction shall be required and be designed to prevent any runoff from disturbed ground into the wetland areas; and
2. Soil disturbance should be minimized where possible; and
3. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
4. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
5. No project excavation, regardless of depth, may intrude into the water table or require dewatering; and
6. Construction materials and equipment shall be staged outside the regulated area; and
7. Parking of all construction and delivery vehicles shall be on premises; and
8. No public street or public or private Right of Way may be obstructed or impaired during construction; and
9. Applicant must repair any damage to any adjacent road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
10. 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
11. The existing septic system shall be replaced by a nitrogen reducing IAOWTS septic system if the applicant is able to obtain the relevant grants as well as approval from the Suffolk County Department of Health Services or proof that the application has been denied; and
12. All restrictions imposed by the Zoning Board of Appeals shall be implemented; and
13. Noise controls shall be pursuant to the Town Code; and
14. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all new outdoor lighting on this project; and
15. The applicant shall leave and reuse the current slab; and
16. 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
17. This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That any proposed change to the project which will result in the further incursion into the vegetative buffer or adjacent regulated area or which would violate any condition of this permit shall require the applicant to seek a formal amendment to this permit including a further public hearing; and

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 275

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", James Olinkiewicz ("Applicant") has applied to the Shelter Island Town Board for permission to undertake significant construction within vegetative buffer and adjacent regulated area at 28A South Menantic Road, Shelter Island, New York and zoned Zone A Residential – Near Shore and Peninsular Overlay, designated as Suffolk County Tax Map 0700-22-02-5.18 (the "Premises"); and

"Whereas", the applicant proposes the removal & replacement of the existing deck, stairs, and new cantilevered upper deck; and

"Whereas", the proposed construction includes the following work at least partially within the 75' Vegetative Buffer: Construction of a new 68 sq ft cantilevered deck above the existing deck, and new stone steps if that work is proposed; and

"Whereas", no work is proposed within the 100' Adjacent Regulated Area; and

"Whereas", all further work is proposed in conforming locations for which a wetlands permit is not necessary; 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 NYS DEC issued a permit # 1-4732-01119/0001 dated 12/2/20; and

"Whereas", no SCDOHS permit is required for this project; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on May 7, 2021, 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 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. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council; and
2. This project is essentially a replacement in kind and will have little effect on the wetlands; and
3. The proposed project will not have a negative impact on the quantity and quality of groundwater; and
4. There are no practicable alternatives which allow the project to be constructed outside the regulated area; and
5. The proposed project has adequate mitigation measures proposed or required, including runoff controls, that contribute to the protection and enhancement of wetlands; and
6. This permit is issued solely for the purpose of allowing intrusion into the regulated area and is not intended to restrict or exercise control over the general aesthetics of the project; and

BE IT FURTHER RESOLVED, That a wetlands permit for the above described work to be conducted at the Premises is hereby granted to the extent that all work is conducted within the applicable setbacks as depicted on the site plan prepared by Matthew Sherman of Sherman Engineering and Consulting, dated January 15, 2021, in accordance with the DEC permit and subject to the following conditions:

1. Construction procedures and erosion controls including the anchored installation and maintenance of wire backed silt fences during all stages of construction shall be required, and be designed to prevent any runoff from disturbed ground into the wetlands areas; and
2. Soil disturbance should be minimized where possible; and
3. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
4. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
5. No project excavation, regardless of depth, may intrude into the water table or require dewatering; and
6. Construction materials and equipment shall be staged outside the regulated area; and
7. Parking of all construction and delivery vehicles shall be on premises; and
8. No public street or public or private Right of Way may be obstructed or impaired during construction; and
9. Applicant must repair any damage to any adjacent road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
10. 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
11. Noise controls shall be pursuant to the Town Code; and
12. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all new outdoor lighting on this project; and
13. 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

14. This permit shall only be valid for construction commencing within two years of the date of this approval; and
15. As per Conservation Advisory Council recommendation, proof of pumpout; and

BE IT FURTHER RESOLVED, That any proposed change to the project which will result in the further incursion into the vegetative buffer or adjacent regulated area or which would violate any condition of this permit shall require the applicant to seek a formal amendment to this permit including a further public hearing; and

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 276

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED That the Supervisor is authorized to execute the purchase option pursuant to section 13 of the lease purchase agreement with Government Capital Corporation dated December 23, 2017 and involving the purchase by the Town of a horizontal grinder; and

BE IT FURTHER RESOLVED, That the Supervisor is authorized to expend the sum of $300,000 from the fund previously set aside for funding for grants pursuant to Resolution 563-2018.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 277

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

BE IT RESOLVED, That the Supervisor is authorized to execute an agreement with NL Bassford Jr. CO and the State of Georgia Department of Natural Resources to resolve all outstanding issues regarding the disposal of hazardous materials from the Shelter Island recycling facility for prior years.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 278

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

"Whereas", effective January 1, 2021, Albrecht, Viggiano, Zurech & Co., P.C. ("AVZ") have combined with PKF O'Connor Davies, LLP ("PKFOD") to enhance the services that AVZ presently provides to the Town of Shelter Island, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the combined agreement between AVZ and PKFOD as per the agreement provided.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 279

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

"Whereas", the 41st annual Shelter Island 10K Run and the 5K Fun Walk will be held on Saturday, June 19, 2021; and

"Whereas", the Town of Shelter Island wants to take reasonable steps to ensure the safety of the residents and visitors who will be attending this race, especially in light of the dangers illustrated by the Boston bombing in April of 2013 and other National events that have illustrated similar dangers; now, Therefore

BE IT RESOLVED, that the Shelter Island Police Department is authorized to take reasonable security precautions especially at the race start and finish areas to protect the runners, residents, and visitors to the 41st annual Shelter Island 10K Run and the 5K Fun Walk, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 280

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, Rachel King, 3 Gazon Road, has requested permission as per application dated April 6, 2021, to hold a catered dinner party for approximately eleven people at Wade's Beach on July 10, 2021, 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: All garbage must be picked up in the area and taken away by caterers, and

"Whereas", the Shelter Island Police Department recommends the following: the need for additional fees for police services will not be required and should the Town grant the applicant use of Wade's Beach, the applicant should be advised that the beach and adjacent parking spaces will not be closed to public use during the proposed event, now, Therefore

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 281

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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 May 4, 2021, to hold a musical/play on July 23, 24, and 25, 2021, with a rain date of July 31 through August 1, 2021, 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: There must not be any obstructions on the road during this event and all garbage must be picked up in the area, and

"Whereas", the Shelter Island Police Department recommends the following: the Historical Society should provide site parking personnel to assist with vehicles parking on Town property at 12 South Ferry Road, now, Therefore

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 282

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

"Whereas", pursuant to Town Code Section 36-14.2, John D. Eicher, President of Rideshore, LLC, formerly Shelter Island Shuttle Co., LLC, has filed an application with the Town Board for a ship to shore tender service from anchored vessels to below the high water mark at Crescent Beach for the 2021 summer season, and

"Whereas", the Town Board has reviewed said application, now, Therefore

BE IT RESOLVED, That the Town Board does hereby grant authorization to John D. Eicher, President of Rideshore LLC, formerly Shelter Island Shuttle Co., LLC, to conduct said activity.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 283

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 $20,000.00 from the 2021 B8030.486 Water Advisory Committee saltwater intrusion expense account to United States Geological Survey for expenses incurred on agreement dated November 13, 2015 to obtain baseline data on nutrient contamination and septic influence for Shelter Island groundwater; and

BE IT FURTHER RESOLVED, That the following transferals of 2021 funds are hereby approved:

$10,000.00 from the B1990.400 Part Town contingency account to the new 2021 B8030.486 Water Advisory Committee saltwater intrusion expense account; and

$10,000.00 from the CP8805.488 WQIP grants/septic rebates account to the new B8030.486 Water Advisory Committee saltwater intrusion expense account; and

BE IT FURTHER RESOLVED, That the CP990.1 operating transfer out expenditure account is increased, and the B5031 operating transfer in revenue account is increased.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 284

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

"Whereas", the Town of Shelter Island has received two generous donations from the Shelter Island Ambulance Foundation, Inc. in the amounts of $6,500.00 for the EMS incentive program, and $2,600.00 for the purchase of epipens, and

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

BE IT RESOLVED, That the following 2021 budget revisions are hereby approved:

$9,100.00 increase to the 2705A Ambulance donations revenue account, to be funded by said donations,

$6,500.00 increase to the 2021 A4540.484 Ambulance office and miscellaneous expense account, and

$2,600.00 increase to the 2021 A4540.478 Ambulance medical supplies expense account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 285

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That the following 2021 budget modification is hereby approved: $8,722.50 from the Waterways Fund unexpended balance to the A3120.100PS Police Department bay constable personal services account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 286

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That 2021 general claims numbered 620 through 729 in the amount of $128,876.23, 2021 Community Preservation Fund claims numbered 9 through 10 in the amount of $4,793.97, 2021 highway claims numbered 87 through 101 in the amount of $6,407.35, and 2021 West Neck Water claims numbered 16 through 22 in the amount of $10,932.79 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:15 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of 82 Peconic LLC, c/o Gail B. Chester and Alexander C. Chester III, 82 Peconic Avenue, for permission to remove and replace (in-place) approximately 199 linear feet of existing timber bulkhead and plus forty feet of timber return with vinyl bulkhead and return, backfill with approximately 50 cubic yards of clean sandy fill to be trucked in from an approved upland source, and reconstruct (in-place) existing 4' by 7' timber steps.

The Town 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: WMAC met on May third, they weren't satisfied with the engineering drawing so the committee will reach out to the agent to request information about the pilings needed, the WMAC took a preliminary to approve the application which they did unanimously pending the letter outlining the pilings and the spacing and then a couple of days later on Thursday May fifth, we got an e-mail and drawings pursuant to my telephone conversation with John Needham, I confirmed with Heaney Construction, the replacement bulkhead would be constructed with pilings separation of six feet on center, I got the __ on sheet two of two of our schematic drawing to eight inch by ten inch, fourteen foot pilings, six inches on center, so they did satisfy the need based on that information from Mr. Herrmann, we have approved the application.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I'm Rob Herrmann, here to answer any other questions but otherwise hopefully you'll be able to get this approved based on that revised drawing and we do have all other agency permits in hand, New York State DEC, Department of State and Army Corps of Engineers; thanks Rob.

The Supervisor declared the public hearing closed at 5:17 p. m. and called to order the public hearing to be held as advertised on the application of George Gilpin, 21 Quaker Path, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.0805788° north and longitude 72.32096° west.

The Town 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: again, we met on May third and the proposed mooring was in the middle of a navigation channel so the WMAC doesn't support the proposal, the committee will reach out to the applicant and offer an alternative, that night we went down, we got new coordinates, latitude 41.087456° north, longitude 72.322675° west, the WMAC took a preliminary vote and approved the application based on the notion that the applicant agrees with the suggested coordinates which the Gilpins did and it's been approved based on those coordinates; so what are the new coordinates; Dottie has them right; oh okay; the new coordinates, she has them; okay; they didn't look to be the same ones you read in the resolution, moving forward, read them again; the new coordinates were latitude 41.087456° north, longitude 72.322675° west, those are the new coordinates replacing the ones they has asked for which would be a different number; we didn't amend that, we have to be amend that; no, that has to go into the resolution to approve it; yeah; and it is in there, okay; Dottie's got it; it's on the bottom of the resolution, you put in what they apply for and then you approve what you want; I see; they are the same, the ones on the bottom and the ones on the top; we will check that out and make sure it's correct; thank you Dot.

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 closed at 5:20 p. m. and called to order the public hearing to be held as advertised on the application of Thomas H. Bishop, 10 South Ram Island Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07824° north and longitude 72.296648° west.

The Town 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 same thing is true here, initially we did not approve it, we moved it slightly, it's a very slight movement of this mooring, the new coordinates are latitude 41.078129° north, longitude 72.296583 west, that's where it was approved and it was approved by the Bishops as well; so again you have to give those numbers to Dottie; we have it; that's all, Sharon has it, but it's not in the resolution; Jimmy has the corrected resolution; okay; shall I read the resolution; not now, that makes it a lot easier.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: excuse me, Gerry; yes; hi, can I just ask a question about this mooring, this is just; who is this; this is Pam Demarest; oh okay; I'm sorry, I realize __, I just have a question, this is just a shift of where the existing mooring is, correct, I mean you folks granted him a mooring a couple of years ago and then he wants to move it a little bit, is that the understanding; it's a slight adjustment, yes; it's not an additional mooring; it's a second mooring; second mooring; that's what I'm questioning, is it a second mooring or is it moving the existing one; it's a second mooring; it's installing a mooring Pam, it's a different mooring than I guess he already has; right, so that's what I'm wondering because it's riparian owners were only allowed one; you're given one as a riparian; right; but you're allowed others; you can have two moorings in front of your property if you have two boats to put on them, you can have a riparian mooring if you don't have a boat; okay; we have done that before at the WMAC if the person has two boats; right; okay, so that's what the application is for them; for the second mooring; okay, I just want to have an understanding; thank you.

The Supervisor declared the public hearing closed at 5:25 p. m. and called to order the public hearing to be held as advertised on the proposed use of WQI funds for PEP.

The Town 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: this we spoke about at the work session last time and Jim do you want to speak about the contribution to the Peconic Estuary Partnership; no, it's just that every one of the five towns on the east end has discussed, you know, had a discussion of about probably one fiftieth of what Southampton and East Hampton have to as far as, it's a lot less money but obviously the Peconic Estuary Partnership does you know a phenomenal job with a variety of programs and research and initiatives within the Peconic Estuary of which Shelter Island has received some of them, you and they're responsible for improving the quality of the water and there's a new alignment, they've broken away from the group that they had initially worked with up in New England and they are partnering with Stony Brook University and I think it's gonna make a world of difference in terms of the amount of data that we will be able to use and it's gonna be more economically sound, the challenges and there are many challenges with the scallop situation and the guy offered ninety-five percent two years ago and last year it was ninety-nine percent, the Peconic Estuary Partnership is actively involved, they feel that they have, they know the cause and effects, they're taking several steps to try to rectify things, obviously water temperature is one of them, or oxygen levels but there are other things that you can do to help strengthen the oyster, the __ population as well but there's a lot of initiatives that go on there, money well spent and I look at it as two-fold, number one, it's a direct effect to our shellfishsermen and fishermen in general here on the east end, the quality of water, and the second thing is for recreation, they've been paramount in making sure that the pump out boats you know, we have pump out stations in our harbors, they pump in that regard so the quality of the, you know we are a vacation destination and anything that we can do to improve the quality of the Peconic is definitely gonna help our economy and it's a wise investment, for the amount of money that we're asked to spend, it would be foolish not to; Amber did you have something; yes, normally this is something that is eligible to be funded with WQI funds, normally we would have this go through the WQI committee but we've kind of done an end around on them and they were going to discuss it last week at their meeting that was canceled because it was in conflict with the North Ferry informational question so it hasn't been discussed at the WQI committee level, I just wanted to point that out you know, we have the ultimate authority, I just, do we want them to weigh in on this, it is one of the items that can be funded though; personally I would like to have them weigh in on it, sure; I agree; so we won't do this resolution tonight; alright, it's up to you, I'm ready to vote for it, I think the reality is we are gonna support it, I mean if you want to hear their recommendation but; how about we do this, we word it in such a way that we approve it with the idea that they support it, if they have some legitimate concern, then obviously we can hear it three weeks from now but if they don't, they support it, then obviously you know; I'd rather go in the other direction; might as well just wait til we get there; okay, so we're gonna table this one Dot; okay.

The Supervisor declared the public hearing recessed at 5:28 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled Revised Parking regulations at Shore Access Points.

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

Correspondence included the following:

1. An e-mail from Penny Kerr stating that the proposed changes are an overreaction to last year's pandemic, the Task Force solutions take away family and friends freedom by putting in rigid controls and the Town Board should go back and work on it some more.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: yes I do Supervisor, Bob Kohn, may I share my screen; yes, what are you sharing; the comments that I have, it's not gonna be contentious, okay, it's a public hearing so I want to make some comments to make clear and some questions that I have regarding the specific language of the document, it's not gonna be long, it's not gonna be contentious, okay, before I, I don't have the whole thing on the screen but what I want to start with is, first of all is there anyone from the Shoreline Task Force on this call at the hearing, I guess not, can you hear me; yes; I think in the future, this is an overall comment, that when significant legislation is being suggested to be put into the Town Code and this is at the public hearing, regardless of what went on in the discussion, the public hearing has certain notice requirements and it gives the opportunity of the people in the public to present their views to the Town Board in connection with what they're gonna be voting on and that's the purpose of this kind of conversation, I think in the future it would

be helpful whenever the Code, and I know you guys are crazy busy and I'm not suggesting to any of you guys do this but perhaps someone of the Shoreline Task Force might have gone through a short presentation rather than read through it and one of the main things that are happening here, what was the problem, what are the alternatives considered and what is the solution we arrived at and just basically summarize the law, to give you an example, if you were to read this to the public, they're gonna see this, thirty-six is the amendment of the definition of resident repealed, thirty-six five is repealed and thirty-six six is repealed, that's not gonna help really anybody to know what's going on, so when everyone thinks we're dealing with parking issues, the reality is the most significant change in the law dealing with thirty-six point five which has been eliminated and that says now in the current Code, only residents of the Town of Shelter Island as defined in thirty-six three make any use of the beach area that are defined in thirty-six four, these are the public beaches, however guests or domiciliaries, owners of real property and lessees of real property situate in Shelter Island may use the beaches, now the law today is that our public beaches are solely for residents and guests of domiciliaries or owners of real property, lessees etc., now maybe this law hasn't been enforced over the past, I don't know what it is, maybe twenty years, because it hasn't been a problem, we haven't had to deal with a large numbers of people or trash or whatever but nobody discussed this as far as I know, it's not in the Shoreline Access __ document, it was never discussed at any meeting that I attended and I attended quite a few of them, maybe a law but what's happening under this law is that this is gone, I think actually the opposite of what I was suggesting how we could solve the problem in places like Bootlegger's Alley, what you're dealing with is parking, now by the way, the other thing that's been eliminated is section thirty-six point six, the thirty-six point six part of it and I see that a lot of it is redundant with what we're adding later on, I don't know where this appears in the new version of the Code and this would allow proprietors of hotels, motels, etc. to buy parking stickers in quantity, I don't know the answer to the question but when I'm finished, maybe Bob can explain whether the new act includes the ability of local business owners to buy these stickers in bulk for their people but they would be domiciliaries and guests of these local businesses, always keep in mind what the local businesses need, now there's a definition that's being eliminated also in thirty-six point three, they're eliminating, this bill eliminates the definition of residents which I actually was thought out and that is all domiciliaries, owners of real property and lessees of real property situate in the Town of Shelter Island, members of their immediate family, all registered guests of hotels and motels, guests cottages, rooming houses and camps which are situate in the Town of Shelter Island, it's a pretty broad definition of people who are sort of staying here even if for one night but not for someone who was just on a day trip or something like that and that's how it was defined with respect to who could use the beaches and the beaches were defined at the top as Crescent Beach, Tuthill's Beach or Silver Beach, those were the three beaches that are restricted to residents only under the law today unless you change it okay, and the public should know this and it was never explained, never discussed and the lack of transparency is one of the issues that I have with a lot of what's going on here regardless of how we may agree or disagree on the substance of certain matters, it's important to be transparent and I'm not seeing that in what's going on, so you deleted the definition of resident and also what you did here, this is part of the proposed legislation that you're considering right now, one twenty-six dash eight point three, parking permits required, all motor vehicles or motor cycles using any parking areas designated as parking by Town permit only unquote, as set forth in this Chapter, shall display a sticker which will be issued by the Town Clerk to domiciled residents of the Town of Shelter Island, okay, now you eliminated the definition of resident that we had that was pretty broad and pretty specific okay but you replaced it with something that is unspecified and it basically says the termination of residency, you don't have a definition of domiciled resident, if you are a lawyer drafting a contract or drafting people's legislation and you do a term, I've never seen domiciled resident, what does that mean, is that different from resident, I don't know and then it says the termination of residency, I don't see that word in the prior paragraph but what we do see is if the Town Board on its own motion may establish criteria to determine residency for the purpose of qualifying the parking ticket, okay, parking permit and residency is another word okay, now it's important for everyone to know that even though it says in paragraph A that the stickers will be issued by the Town Clerk to domiciled residents of Shelter Island, E says that all permits as defined below shall be acceptable for parking at any location where permits are required, it's not just domiciled residents so those two provisions are in conflict with each other and these are the different kinds of permits that would be applicable to those signs, so anyone reading the legislation might be let to believe, oh this is good, this is a domiciled resident, but it's not, as you may recall and the reason that I ask whether there was someone from the Task Force, the Task Force as I recall recommended to the Town at some point that some of the parking spaces at the shoreline access places should be restricted to residents only and they're coming up with their own definition of resident, some people were arguing as to what that definition should be but you know, I think it

was someone's job to take that into consideration and apparently you did and decided to ignore that for your reasons for whatever you wanted to do so now that anyone who has a multi residents, multi-year residents permit, it says available to domiciliaries, that's a different word from what we saw before, cause we saw the word residency and we saw the word domiciled resident so I don't even know what the word domicile is, then weekly, monthly and seasonal permits are to domiciliaries, lessees and registered guests, then there are daily permits to be available to the general public, so any of these will qualify for the permits required for parking by permits only, so there's already some problems with the language here and I know what you're trying to do and trying to say, I think you should fix it if you want to do it but on the other hand I think this is highly misleading for the public who are very confused as to what you really intended to do and maybe surprised to learn on Monday that the beaches are no longer reserved to the residents of the Island so I personally don't think, I know this is an ongoing process, I know and you said that the Task Force has said that this is an ongoing process and I go along with that, that whatever you give this year regarding parking is the first step, the woman who made the comment earlier said this had to do with overreacting and this is only because of Covid last year, she may very well be right and we'll find out what happens this summer but we'll see what happens but my personal view and the view that I've expressed during the Task Force meetings and maybe here, I'm not sure, is that parking is not the answer, people are gonna just move their cars further up the street and you're gonna reserve some spaces for people who have permits closer to the location and it's not gonna solve the issue that this problem that we had last year, so you always have to talk about what was the problem, what were the solutions considered and what's the solution that you came up with and how does that solution solve the problem, I don't think it does, but that solution had to do with permitted uses and restricted uses, you already had something in the Code, so what you could do in the future and I know this is relevant through your discussion today that I don't think that it does it right, is that when you're balancing public trust with public safety, so you have the power to regulate the access to the seashore, to ensure public safety, to minimize damage to property and to economize the use of public resource which is what the Police Department etc. and each of its access has its own style and its own profile, public safety profile, beaches are provided primarily for swimming, you don't want boats landing at public beaches, we don't want fishing boats at public beaches, Town landings traditionally up and down the coast at least are primarily for launching and landing of boats, that can be dangerous for people who are sunbathing, or swimming or fishing and then there are other access points for clamming and other access to the beach, so the Town landing, if you really want to solve the problem in my view is to parallel the code for beaches with the Town landings and other shoreline access points and have basically some definitions; Bob, excuse me, this hearing is relating to parking, it's not for access to the beaches, it has to do with parking at these locations; the reason why you're here okay, is to solve the Bootlegger's Alley problem cause that's the thing that started everything off and by your just solving a parking problem, I think that's not being quite honest to say the truth, this is clearly related to the problems that we had last summer, that woman had even identified in a letter to you, this is part of a process, I'm suggesting that your legislation isn't strong enough to solve the problem and I think I am taking the opportunity at a public hearing to express my views to you and your responsibility is to listen to the public; I think we have listened Bob and I think it's time to see if anybody else has any comments, I believe I'm allowed to put a time limit on the comments; okay I agree with you, I agree with you, alright I'm finished; any other comments; Sandra; could you stop sharing the screen please; yeah I'm trying to do that, sorry about that; Sandra; yeah, I have specific comments about Bootlegger's Alley which I sent the Town Board a letter about this morning and I just would like to know, well I think one of them is clearly a correction and JJ, second JJ, item three, I think it's just an error; Sandra, those corrections have already been made, the only thing that's still in there is the apostrophe; okay; your corrections were noted and were made; okay so Nostrand Parkway is now in item five included with West Neck Road and Brander with a fifty foot restriction; okay, thank you; anybody else; yes, Duke Foster; yes Duke; I am very very hopeful that what the Board will approve is going to solve the problem, the one thing that I am still concerned about is that we only have one informational sign down at the end, I'm sorry, we have two, one on either side of the Bootlegger's Alley boating ramp which defines the mean high tide water mark, the other signs have not been replaced and therefore I'm just concerned that there is for example, our Police guy when he comes down at the end of Bootlegger's Alley, he has one sign to judge where the mean high tide mark is for the rest of the half a mile beach, I think that other signs should be put back again or at least one so that the Police can easily define whether the person is trespassing or is legal, I would hope that our Police Department would have a regular citing on well attended weekends where they will automatically go and check to make sure that people are not trespassing but I'm very hopeful that the Board is going to approve this and it's gonna mitigate our problem and thanks for the hard work for everybody; anyone else; I just have a comment Gerry, on any issue,

including signs, too much, too little, you don't enough signs, you have too many signs so you know that's a fine line we all walk, in fact we've walked this fine line about the parking and who has access and who doesn't and who is a resident and who is not, I think the Board has made a good sense by putting together a good group of people that worked extremely hard, that isolated initially the eight top priority areas with the idea that they were going to do this for all of the Town landings and boat ramps and things of that nature and beaches and I think they've done a pretty good job, I think you learn as you go and I think we've learned as we've gone, I think we're moving in the right direction, I think we saw the input from loads of people and I think it's a fairly contentious topic depending on who you want to listen to, whether it's about signs or who should have access or who shouldn't, I think the Board is trying to the best of its ability and I think the committee did just that, walk that fine line to try to put together reasonable measures to try to lessen the problems that were identified growing from, and not just from last summer and it's not just Bootlegger's Alley, I beg to differ, you have a problem at Crab Creek, you have a problem at Reel Point, you have a problem elsewhere around the Island and you have a problem probably at all the eight major areas, that's what they focused in on, let's give it a chance to feed or not to feed, we're prepared as a Town Board to live and learn and if it needs further tweaking, we're in a position to do that, I think we're in a better position this year than we were last year to handle the unexpected, but we'll learn and that's what life is, a series of live and learn, that's what we're gonna do but the question, I'll tell you to be honest with you, people had to have their head in the sand to think that for the last six months this topic has been front and center, lots of Zoom meetings, lots of discussions, lots of things on this and we've made some reasonable changes that are moving us in the right direction and I hope that succeeds and again I think that whether it's special or not, it's simply in the eyes of the beholder, what's successful in my eyes might be different than somebody else's but I think we've put forth a very good effort and I'm very satisfied with what we've got right now, thank you; I have one question, this is a public hearing so you know, if this was all about parking then I would suggest that you eliminate the deletion of the beach restriction cause that has nothing to do with parking, it has to do with beaches; so basically what you're, just so I understand this, you're saying that all the beaches on Shelter Island should only be for residents of Shelter Island; I'm saying that right now it is the law and residents is broadly defined as anyone; you didn't answer my question; I'm not saying whether it should or it shouldn't, okay, I'm gonna answer your question, the answer is I think that that is probably, I have to think through that but you haven't thought through it; oh we have, we're saying the Shelter Island beaches should be open to the public in general, not just people that own property on Shelter Island; let me give you an illustration, working at Mashomack, people come over at eight thirty in the morning, they're there at nine o'clock, they sign in, they go for an hour and a half or two hour walk, they ask for recommendations of where to go to lunch and their ability to attend a beach while they are here, they bring their kids, they want to go over to Wade's Beach, I recommend a quick spot where they can pick up a sandwich, bring it down to the beach, they are not renting here, they're here just for the day and they do just that; this is a slippery slope, you're taking away a strong power that you have as a precedent for the past twenty years that you, you're doing it to try to slip it through, there's no transparency here; why do you say there's no transparency, this has been front and center for over a year; excuse me Mr. Supervisor, I was speaking and I'm accusing you of purposely non-transparency, you just told the public this is all about parking and I should stop speaking about anything else, this is not about beaches, it is about beaches; this hearing is about parking and you keep talking about beaches and public access to the beaches; the resolution that you're looking at right now eliminates a clause of the beach code; it changes the definition, that's what it does; no it doesn't; and if you go back to our transparency, this began when Councilman Bebon brought up the public trust that all people have access to our shoreline; well yeah and let me say about the public trust because I've had dialogue about this during the meeting, it's from Roman Law and this is not the law that __, fishermen would come into the shore to dry their net and weather out a storm but they were still required to maintain and not destroy any monuments, not destroy any property, it wasn't a complete public trust, it's the local town or the government or the tribe, was able to regulate the use of that shoreline access so they're allowed to access it but under strict regulation so there is a public trust but it's not endless, it can't go, just the beach, you have the ability to actually restrict the use and the numbers of these beaches, I'm suggesting that this was not transparent and that's a very kind word okay, this is not the way to go, you don't slip in a clause under parking regulation that eliminates something that residents don't even know about; Bob I know you're relatively new to the Island, this committee, this Shoreline Access group had more people involved in it than any committee I've seen in the thirty-eight years I've lived here, there was more public participation in the Shoreline Task Force than any group short of the Comprehensive Plan in 1993; the Task Force did not recommend that you eliminate the beaches; you said there was no transparency, there were more people involved in these discussions than any I can remember so don't say there's no transparency, this Town Board

does everything in public, we' don't do anything that's not transparent; the Task Force never did recommend to you, never discussed the elimination of residents only for the beaches, they never discussed the elimination of thirty-six point five, never and you never; I can see that this discussion is going nowhere, so we're gonna end it; no because you are; I know I'm a thick headed idiot, I know; you said it; I said it, I did, alright let's move on, we're gonna close this hearing now.

The Supervisor declared the public hearing closed at 5:54 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled Opt Out of Cannabis retail dispensaries and on-site consumption.

The Town 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: this is to opt out of public dispensaries on Shelter Island and on site consumption, the Town Board felt it wasn't you know, it wasn't our place for the five of us to decide for the Town so we decided to opt out, by opting out, we give the public the chance to put together a referendum, a permissive referendum which would need ten percent of the total voting population of the last governatorial race, which is about a hundred votes, a hundred signatures to say that they would like to put this on the referendum in November so rather than us making the decision for you, we're letting the public have the ability to make the decision if they choose to, if we didn't opt out and just let it happen, then we couldn't opt out at a later date but by opting out, we can opt in through the referendum, I'm not sure everybody understands that so we'll open it up for discussion, Pam; I just have a question, do we know what the neighboring townships are doing; well; such as Greenport and; initially it was kind of, everybody was gonna opt out but then Jay Schneiderman said you know, let's slow down here cause Southold is in a very tough position here, Southampton is in a very tough position because the Shinnecocks have already acknowledged that they are gonna do it so it's two fold, it's one, you know it's gonna bring more traffic and more you know, action to the reservation but it's also gonna be a huge tax loss for Southampton so I'm not sure if they opted out and gonna let the public vote or if they're gonna put it on the ballot themselves but they're having trouble with their decision, likewise Brookhaven is the same way, Brookhaven is sort of on the borderline with Southampton and they also have an Indian Tribe that's, it's not federally recognized but it is by the State so they have the same concerns and I think those are the concerns that basically if you're out to do it and somebody's gonna do it, and somebody is gonna do it in your town, then maybe they should do it too and that's not the case here with us and you know, I have my own personal thoughts but that's me, I don't want to decide for everybody else but you know what's right and what's wrong, the next one hits home to me more than this one does Pam, when we get to that one; I know because I'm thinking about the smoking on the beaches too; yeah, yeah; I am following what's happening in Greenport as far as the new law and stuff and I'm very concerned, sure, people are bragging, oh I'm gonna start a garden in my back yard, oh lordie, lordie, lordie; well people have to understand, I mean, it's not illegal to smoke and it's not illegal to grow it but you know you can't have a retail store, we're opting out right now, of a retail dispensary or a lounge that you can go and smoke it legally; I honestly Supervisor Siller, I don't even believe that the State was going to allow it, okay, a dispensary, take it home with you but a place like Amsterdam where they're allowing like coffee shops, is that what we want Shelter Island to become; exactly, you have a lot of support on that one; Chief Read is constantly in contact with every Police Chief on the east end and they discussed this matter over and over and over again and I think he made some real logic and I think the Town Attorney has looked into this quite a bit and again, bringing it back to the public at the end of the year for a vote, I think the Board felt strongly that that would be the way to go but I think that the measures that we're taking now of opting out, is solid for right now as we enter into Memorial Day weekend and the summer and I think the next thing about the beaches was a no brainer as well for this, that doesn't mean that things can't change in the future but for this year __ let's learn from the __ from other communities that might do this so rather than us making a mistake, we'll learn a lot from other people but again ultimately the taxpayers and the residents of Shelter Island made a valid point right there, this is moving along very quickly and I think one thing that sticks in my mind from both Chief Read and Bob DeStefano our attorney is there is a lot of unanswered questions and I think that the Town Board felt because there were so many unanswered questions, ___, so that's another reason why we decided to do what we did; and I would just make sure everybody understood, if we don't get the petition within thirty days, it's not going on the ballot, it's a permissive referendum, we have to have people tell us they want to have it on the ballot so if we don't get that, it's a done deal, we're opting out, period; although we can always opt in at some future date if we so decide; yeah; it's just that we can never

opt out again; right; that's an important concept right there that Amber just said, that's key in my eyes; anybody else.

The Supervisor declared the public hearing closed at 6:04 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled Regulation of Public Smoking.

Councilwoman Brach-Williams read certain portions of 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: so again, this has to do with, in our discussion, it is legal to smoke marijuana by State Law now but we felt we didn't want to put that burden on families at the beach, you know we thought about, we didn't want to put that burden on families anywhere but we didn't know how restrictive we could be so we said let's start with the beaches, we talked about sidewalks, we talked about you know people walking on Bridge Street or something and somebody brought up well you know if you're a smoker and you're in a restaurant or a bar, usually you go stand on the sidewalk and smoke so, yeah maybe that's true so maybe they're gonna go outside and stand on the sidewalk and get high but we felt we'd start with what we feel we have to do, and part of it is just the, trying to keep it away from families but also there's the secondhand smoker aspect to it that we're trying to prevent too so it's a small step but we feel it's an important step for the Town to take, I don't know if anybody else wanted to say anything; you said it well; okay any other comments on this.

The Supervisor declared the public hearing closed at 6:08 p. m. and reconvened the recessed public hearing on the application of Carl Norr, 12 North Midway Road, for permission to install a stake, mooring and pulley system in Coecles Harbor at the Stone Wall at a location designated as latitude 41.410522° north and longitude 72.721575° west.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: you know, John knows the person very well but was unable to contact that person so a vote was not taken but hopefully by the next meeting we will have that resolved, obviously it involved meeting __; Pam, you're on mute; I have Mr. Norr's phone number and he is very interested in resolving the issue, he's an avid sailor on Coecles Harbor and since the Ram's Head Inn has been sold, he doesn't have access to the dock where he keeps his Whaler to get to his vessel on a mooring; here's what I would suggest, because I'm only taking my lead from the committee and from John Needham who is the Chairman of the committee, I'm the liaison, he thought on numerous occasions, I thought he was out of town when he was ___, obviously John's business is picking up as Memorial Day comes so maybe he __ reach out, he's trying, initially he wanted to be at the first causeway at a place called Stone Wall, the committee agreed not to put any more moorings in that area in an effort to preserve a natural and undeveloped shoreline and the committee will reach out to the applicant to offer a mooring at the location called Captain Bob's area which is further down from there, we had not granted several other people who had asked to be in that Stone Wall area, we had denied them that based on that reason so if he is in agreement, I would suggest that we get a hold of him, have him call John and if he is agreeable to the coordinates, that maybe we can act on that sooner rather than later; to be honest with you, I believe that he will take any place where he can put a mooring to be able to get to his Boston Whaler to get to the new sailboat this summer, he is out every day of the week; okay; so it's important to him, since he's lost the accessibility at the Ram's Head Inn dock, so Jimmy I don't mean to make this personal but if you want to send me an e-mail with John's number and I'll make that connection happen; I think I have it here some place, I'll get you that Pam before this meeting is over; okay no problem, just helping out a neighbor; okay; thanks.

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 closed at 6:12 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 287

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

"Whereas", 82 Peconic LLC, c/o Gail B. Chester and Alexander C. Chester III, 82 Peconic Avenue, have petitioned the Town of Shelter Island for permission to remove and replace (in-

place) approximately 199 linear feet of existing timber bulkhead and plus forty feet of timber return with vinyl bulkhead and return, backfill with approximately 50 cubic yards of clean sandy fill to be trucked in from an approved upland source, and reconstruct (in-place) existing 4' by 7' timber steps, and

"Whereas", a public hearing was duly held on the 28th day of May, 2021, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 288

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

"Whereas", a public hearing was duly held on the application of George Gilpin, 21 Quaker Path, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.0805788° north and 72.32096° west, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, the Town Clerk is hereby authorized and directed to issue a permit for the installation of a mooring in Coecles Harbor at a location designated as latitude 41.087456° north and 72.322675° west.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 289

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

"Whereas", Thomas H. Bishop, 10 South 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 41.07824° north and longitude 72.296648° west, and

"Whereas", a public hearing was duly held on the 28th day of May, 2021, 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 Coecles Harbor at a location designated as 41.078129 north and longitude 72.296583 west.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 290

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, to wit:

"Whereas", a public hearing was duly held on the 28th day of May, 2021, in the Shelter Island Town Hall, Shelter Island, New York, on a proposed Local Law entitled REVISE PARKING REGULATIONS AT SHORE ACCESS POINTS, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 5 - 2021 entitled REVISE PARKING REGULATIONS AT SHORE ACCESS POINTS, is hereby adopted, to wit:

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

SECTION 1. Chapter 36 of the Town Code is hereby amended as follows:

§36-3 is amended in that the definition of RESIDENTS is repealed.

§36-5 is repealed.

§36-6 is repealed.

SECTION 2. Section 126-8 is hereby amended as follows:

Subsection C is repealed and replaced as Follows

C. Wades (Tuthill's) Beach

1. No person shall park a motor vehicle or motorcycle at any location within the parking lot area at Wade's (Tuthill's) Beach unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

2. There shall be no parking on either side of Midway Road from a point 300 feet north from the entrance to Wade's (Tuthill's) Beach to a point 600 feet east from the entrance to Wade's (Tuthill's) Beach at any time when parking permits are in force.

Subsection F. is repealed and replaced to read as follows:

F. Menhaden Lane

1. No person shall park a motor vehicle or motorcycle on any portion of Menhaden Lane where parking is permitted unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

2. There shall be no parking on the north side of Menhaden Lane at any time when parking permits are in effect.

3. There shall be no parking on the south side of Menhaden Lane from a point 138 feet east of Gardiner's Bay Drive and running in an easterly direction for a distance of 75 feet at any time when parking permits are in effect.

4. There shall be no parking on either side of Gardiner's Bay Drive from a point 600 feet north from Menhaden Lane to a point 600 feet south from Menhaden Lane at any time when parking permits are in force.

Subsections G and I are repealed.

Subsection P is repealed and replaced to read as follows:

P. No person shall park a vehicle for more than one hour between the hours of 9:00 a.m. and 5:00 p.m., on the east side of Grand Avenue from a point 25 feet north of Chase Avenue to a point 15 feet south of pole No. 12 at any time that parking permits are in effect.

Subsection Q is repealed and replaced to read as follows:

Q. No person shall park a vehicle for more than one hour between the hours of 9:00 a.m. and 5:00 p.m. on the west side of Grand Avenue from a point 50 feet north of the intersection of Grand Avenue and Chase Avenue to the alley between the Shelter Island Heights Pharmacy and the Chequit Inn at any time that parking permits are in effect.

Subsection R is repealed and replaced to read as follows:

R. No person shall park a vehicle for more than two hours between the hours of 9:00 a.m. and 5:00 p.m. on the east side of Grand Avenue between the intersection of Grand Avenue and Meadow Place and the intersection of Grand Avenue and Chase Avenue at any time that parking permits are in effect.

Subsection S is repealed and replaced to read as follows:

S. No person shall park a vehicle for more than two hours between the hours of 9:00 a.m. and 5:00 p.m., on the west side of Grand Avenue between pole No. 19 and pole No. 15 at any time that parking permits are in effect.

Subsections X, Y and Z are repealed.

Subsection CC is repealed and replaced as follows:

CC. Fresh Pond

1. No person shall park a motor vehicle or motorcycle on the South side of Fresh Pond Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
2. There shall be no parking on the east side of Lake Drive for a distance of 200 feet north and south of the intersection of Fresh Pond Road and Lake Drive.
3. No person shall park a motor vehicle or motorcycle on Fresh Pond Road between Lake Drive and Fresh Pond unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
4. There shall be no parking on the north side of Fresh Pond Road between Lake Drive and Fresh Pond.
5. There shall be no parking on the west side of Lake Drive commencing at the intersection of the southerly side of Fresh Pond Road and Lake Drive for a distance of 260 feet south.
6. There shall be no parking on the west side of Lake Drive commencing at the intersection of the northerly side of Fresh Pond Road and Lake Drive for a distance of 225 feet north.

Subsection DD is repealed.

Subsection II (2) is repealed and replaced as follows:

1. No person shall park a motor vehicle or motorcycle on Daniel Lord Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

Subsection JJ is repealed and replaced as follows:

JJ. Bootlegger's Alley.

1. No person shall park a motor vehicle or motorcycle along the waterfront on Bootlegger's Alley and on the southeastern side of Bootlegger's Alley from the beachfront running east (landward) for 160 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
2. No person shall park a motor vehicle or motorcycle on the northwest side of Bootlegger's Alley commencing 100 feet from the beachfront running east (landward) for 335 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
3. No person shall park a motor vehicle or motorcycle on the northwest side of Bootlegger's Alley commencing 30 feet from the intersection with Brander Parkway running west (seaward) for 290 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
4. There shall be no parking at any other location on Bootlegger's Alley at any time that parking permits are in effect.
5. There shall be no parking on Brander Parkway or West Neck Road within 50 feet of the intersection with Bootlegger's Alley.
6. There shall be no parking within six feet of any driveway or intersection on Bootlegger's Alley at any time.
7. There shall be no double parking anywhere on Bootlegger's Alley at any time.

Add the following section:

KK. Congdon Road

1. There shall be no parking on the northern side of Congdon Road from the shoreline running west (landward) for 60 feet at any time that parking permits are in effect.
2. There shall be no parking on the southern side of Congdon Road from the shoreline running west (landward) for 90 feet.
3. No person shall park a motor vehicle or motorcycle on the southern side of Congdon Road commencing 90 feet west from shoreline running west (landward)) for 150 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

4. The area on the northern side of Congdon Road commencing 60 feet west from the shoreline running west (landward) for 90 feet shall be reserved for permitted trailer parking.

Add the following section:

LL Crab Creek Road

1. There shall be no parking on either side of Peconic Avenue within 100 feet northwest of the intersection with Crab Creek Road at any time that parking permits are in effect.
2. There shall be no parking on the northern side of Peconic Avenue within 100 feet southeast of the intersection with Crab Creek Road at any time that parking permits are in effect.
3. There shall be no parking on either side of Crab Creek Road within 50 feet northeast of the intersection with Peconic Avenue at any time that parking permits are in effect.
4. No person shall park a motor vehicle or motorcycle on the northern side of Peconic Avenue within 100 feet of the intersection with Crab Creek Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

Add the following section:

MM. Hiberry Lane

1. No person shall park a motor vehicle or motorcycle on the northwest side of Hiberry Lane commencing 100 feet from shoreline running southwest (landward) for 100 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
2. No person shall park a motor vehicle or motorcycle on the southeast side of Hiberry Lane commencing from shoreline running southwest (landward) for 85 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.
3. There shall be no parking on the northwest side of Hiberry Lane commencing from shoreline running southwest (landward) for 100 feet at any time that parking permits are in effect.
4. There shall be no parking on Hiberry Lane between Point Lane and Dinah Rock Road at any time that parking permits are in effect.
5. There shall be no parking on either side of Point Lane within 50 feet of the intersection with Hiberry Lane at any time that parking permits are in effect.
6. There shall be no parking on the northeastern side of Dinah Rock Road within 50 feet of the intersection with Hiberry Lane at any time that parking permits are in effect.

Add the following section:

NN. Reel Point

1. There shall be no parking on the eastern side of Club Drive commencing from the shoreline running north (landward) for 235 feet at any time that parking permits are in effect.
2. No person shall park a motor vehicle or motorcycle on the western side of Club Drive commencing from the shoreline running north (landward) for 200 feet unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

Add the following section:

OO. South Ferry Hills

1. There will be no parking on the northern side of the Town Landing.
2. There shall be no parking on the southern side of the Town Landing commencing at the western edge of the Town Landing and continuing 40 feet eastward toward Thompson Road.
3. No person shall park a motor vehicle or motorcycle on the southern side of the Town Landing commencing 40 feet east of the western edge of the Town Landing and continuing 60 feet eastward toward Thompson Road unless that vehicle shall display a valid and current Shelter Island Town Parking Permit.

SECTION 3. The following are hereby added to Chapter 126 of the Shelter Island Town Code.

§126-8.3. Parking Permits Required

A. All motor vehicles or motorcycles using any parking areas designated as "Parking by Town Permit Only" as set forth in this Chapter shall display a sticker which will be issued by the Town Clerk to domiciled residents of the Town of Shelter Island.

B. The regulations requiring Town issued parking stickers shall be in effect 24 hours per day from May 15 through September 15 unless the Town Board shall establish, on its own motion, alternate hours of the day and dates on which a parking sticker shall be required.

C. There shall be open parking at locations otherwise marked as "Parking by Town Permit Only" at any time that parking permits are not in effect.

D. The Town Board shall establish, on its own motion, the fee to be charged for parking stickers issued on a daily, weekly, monthly and seasonal basis.

E. All permit types as defined below shall be acceptable for parking at any location where such permits are required.

F. Parking stickers shall be displayed on the driver's side bottom corner of the rear bumper of a motor vehicle or on the rear mudguard of a motorcycle.

§126-8.4. Parking Permit Types

A. Multi-Year Resident Permits shall be available only to domiciliaries of the Town of Shelter Island to include owners of real property and Lessees for a period of one year as well as their immediate families residing with them at their Shelter Island address.
B. Weekly, Monthly and Seasonal Permits shall be available as follows:
1. To domiciliaries for their out-of-town guests.
2. To lessees of real property for a period of at least 1 week.
3. To registered guests of Shelter Island hotels, inns, tourist cabins, rooming houses and bed and breakfasts. (Proprietors of these establishments may purchase parking stickers in quantity for the fee established by the Town Board for resale to residents of their establishment at the same fee.)
C. Daily parking permits shall be available to the general public subject to the following:
2. The number of daily parking permits shall be limited. The number of daily permits available each day shall be determined by the Town Supervisor in consultation with the Town Clerk, Chief of Police, Superintendent of Highways.
3. Daily permits may be limited to use at particular locations to be determined by the Town Board.
§ 126-8.5. Determination of Residency
The Town Board, on its own motion, may establish criteria to determine residency for the purpose of qualifying for parking permits.
SECTION 4. Effective date
This local law shall become effective immediately upon filing with the Secretary of State.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	nay
	Supervisor Siller	aye
		4 in favor 1 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 291

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", a public hearing was duly held on the 28th day of May, 2021, on a proposed Local Law entitled A Local Law Opting out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. - 2021 entitled A Local Law Opting out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites, is hereby adopted, as follows:

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

A local law to opt out of allowing cannabis retail dispensaries and on-site- consumption sites as authorized under Cannabis Law Article 4.
Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Shelter Island that would otherwise be allowed under Cannabis Law Article 4.

New York Cannabis Law requires Towns to opt out prior to December 31, 2021 or forever lose the right to do so. Thus, in order to allow the public to decide for themselves by permissive referendum whether to allow retail dispensaries and on-site consumption in the Town of Shelter Island it is necessary to opt out at this time.
Section 2. Authority.

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes the town board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24.
Section 3. Local Opt-Out.

The Town Board of the Town of Shelter Island hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.
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. Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law § 131 and the procedure outlined in Municipal Home Rule Law § 24.

Section 5. Effective date.

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 292

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

"Whereas", a public hearing was duly held on the 28th day of May, 2021, 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 REGULATE TOBACCO, CANNABIS & PUBLIC SMOKING, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore BE IT RESOLVED, that Local Law No. 6 - 2021 entitled A LOCAL LAW TO REGULATE TOBACCO, CANNABIS & PUBLIC SMOKING is hereby adopted, as follows:

Be it enacted by the Town Board of the Town of Shelter Island, to wit:

Section 1. Purpose

The Town of Shelter Island wishes to preserve the health and safety of its citizens and guests and to ensure that all persons using Town property are free from the effects of secondhand smoke.

Section 2 – Amendment

A new Chapter 116 – Tobacco, Cannabis & Public Smoking shall be created as follows:

116 – Tobacco, Cannabis & Public Smoking shall be created

ARTICLE 1 – PUBLIC SMOKING

§116-1 Purpose

It is the intent of this article to protect the health and safety of the public at heavily used public locations particularly those frequented by families with children from the effects of secondhand smoke and to ensure their quiet enjoyment of such Town properties.

This Chapter is adopted as a local law pursuant to the authority conferred in Article IX of the New York State Constitution; Article 2, § 10, of the New York Municipal Home Rule Law; and Article 4 of the New York Town Law.

§116-2 - Exemption from liability:

This Chapter shall not be construed to subject the Town of Shelter Island, any Fire District or Fire Department therein or any officers or employees thereof to any civil or other liability for any damage to persons or property.

If any provision of this Chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this Chapter.

§116-3 Smoking Prohibited on Certain Town Properties

Smoking, to include burning or vaping of any material, including but not limited to tobacco, hemp and marijuana, shall be prohibited at all times at the following locations:

A. Crescent (Louie's) Beach

B. Wade's (Tuthill's Beach)

§116-30 Penalties

Violation of any provision of ARTICLE 1 of this Chapter shall be a violation under the Penal Law and subject to a fine of not more that $250 or imprisonment of not more than 15 days. Each incidence of non-compliance shall be considered a separate violation.

Section 3. Severability

If any provision of this Chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this Chapter.

Section 4. Effective Date

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 6:31 p. m., on motion of Supervisor Siller and seconded by Councilman Bebon, the Town Board went into executive session to discuss a personnel issue.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

This motion was carried.

At 7:03 p. m., on motion of Supervisor Siller and seconded by Councilman Bebon, the regular Town Board meeting was reconvened.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 7:03 p. m.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

This motion was carried.

Dorothy S. Ogar
Town Clerk

June 2, 2021

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, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and approximately nine persons were also present.

The Supervisor called the meeting to order at 3:04 p. m.

Supervisor Siller offered a motion to approve a Waiver of Notice for today's special meeting. Said motion was seconded by Councilwoman Brach-Williams.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye

5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 293

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

"Whereas", sealed bids were received by the Town Clerk's office until 2:59 p. m. on the 28th day of May, 2021 on the proposed recycling center milling and repaving project, and

"Whereas", the following bid was received:

Corazzini Asphalt, Inc. total bid $71,950.00, and

"Whereas", Superintendent of Highways Brian Sherman has recommended that said bid be awarded to Corazzini Asphalt for the amount of $71,950.00, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for the proposed recycling center milling and repaving project to Corazzini Asphalt, Inc. the sole bidder for the sum of $71,950.00.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 294

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

"Whereas", sealed bids were received by the Town Clerk's office until 2:59 p. m. on the 28th day of May, 2021 on asphalt picked up, and

"Whereas", the following bid was received:

Corazzini Paving Products total price $86.00 picked up, and

"Whereas", Superintendent of Highways Brian Sherman has recommended that said bid be awarded to Corazzini Paving Products for the amount of $86.00 per ton, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for asphalt picked up to Corazzini Paving Products, the sole bidder for the sum of 86.00 per ton picked up.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		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 Supervisor Siller, to wit:

"Whereas", sealed bids were received by the Town Clerk's office until 2:59 p. m. on the 28th day of May, 2021 on 3,000 tons of Type 6 asphalt delivered and applied, and

"Whereas", the following bid was received:

Corazzini Asphalt, Inc. total price $99.75 per ton delivered and applied, and

"Whereas", Superintendent of Highways Brian Sherman has recommended that said bid be awarded to Corazzini Asphalt for the amount of $99.75 per ton, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for 3,000 tons of Type 6 asphalt delivered and applied to Corazzini Asphalt, Inc., the sole bidder, for the sum of $99.75 per ton delivered and applied.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 296

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

BE IT RESOLVED, That the special permit issued to Seth and Bonnie Harris for property at 6 Bootlegger's Alley and 3 Nostrand Parkway, Shelter Island, New York on October 15, 2019, and numbered 479-19 is reaffirmed and modified in that it is approved pursuant to all prior conditions and predicated on the site plan dated March 30, 2021 (consisting of three sheets A-001, A-001.1 and A-001.2) and prepared by London A + D Architects, and the Building Department is authorized to issue a building permit based upon this approval, and

BE IT FURTHER RESOLVED, That the accessory building shall be reconfigured to conform to Town Code including the removal of the kitchen and reduction to 2 conventional bedrooms.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	nay
	Supervisor Siller	aye
		4 in favor 1 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 297

Supervisor Sillier 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 $200.00 from the Public Works A1490.421 Public Works Congdon's Creek dock account to the Department of Environmental Conservation for the application fee for the Commissioner of Public Works to apply for a modification of permit number 1-4732-00062/00003 to allow for the construction of a "T" shaped extension at the end of the existing Town owned dock at Congdon's Creek.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion Supervisor Siller and seconded by Councilman Bebon, the special meeting was adjourned at 3:10 p. m.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

This motion was carried.

Dorothy S. Ogar
Town Clerk

June 11, 2021

A special meeting of the Town Board of the Town of Shelter Island was held via Zoom in the Shelter Island Town Hall, Shelter Island, New York on the 11th day of June, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., and Town Clerk Dorothy S. Ogar were also present. All Town Board members present signed a waiver of notice.

The Supervisor called the special meeting to order at 1:13 p. m.

Supervisor Siller offered a motion which was seconded by Councilman Colligan, to go into executive session to discuss personnel.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The motion was approved.

At 2:55 p. m., Supervisor Siller reconvened the special meeting and offered a motion to adjourn the special meeting. Said motion was seconded by Councilwoman Brach-Williams.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The motion was approved.

Dorothy S. Ogar
Town Clerk

June 18, 2021

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 18th day of June, 2021 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., 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.

The Supervisor presented the following statement:

This is the June 18, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting.

The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

Correspondence included the following:

1. An e-mail from Michael Bebon dated June 9, 2021, stating that he and his wife have decided to leave Shelter Island to relocate near their children and grandchildren in the south, and is therefor resigning his position as Councilman of the Town Board effective immediately.
2. An e-mail from Edward M. Hindin dated June 8, 2021, resigning his position as project director for the comprehensive plan update and also resigning his position as a member of the Planning Board effective the same date.
3. An e-mail from Peter McCracken dated June 15, 2021, resigning his position on the Community Housing Board effective immediately.
4. An e-mail from Kathleen DeRose dated June 17, 2021, resigning from the CPAC committee, effective immediately.
5. A letter from Henry Amann stating he does not wish to continue to serve the Town as a member of the Deer & Tick Committee after June 24, 2021.
6. A letter from Paul D. Sherrod expressing his interest in serving on the Water Quality Improvement Advisory Board.
7. A letter from Maria Maggenti stating she would like to be on the Community Housing committee.
8. A letter from Bran Dougherty-Johnson submitting his name and application to serve on the Community Housing Board.
9. An e-mail from Bob Kohn submitting his application for the Town Board's appointment to fill the Town Board vacancy left by Mr. Bebon's resignation.
10. Three e-mails from Mark Welsh, Sarah Netburn, Sandi Haber Fifield and Fred Bernstein expressing their support for the approval of a permit for the Die Firma art exhibit.
11. An e-mail from Julia Weisenberg containing an application and resume for the vacancy on the Town Board.
12. An e-mail from Margaret Anne Larsen containing an application and resume for the vacancy on the Town Board.

RESOLUTION NO. 298

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

"Whereas", Donald C. DeVries, 24 Winthrop Road, 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 41.08630° north and longitude 2.31250° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 9th day of July, 2021, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 299

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

"Whereas", Gerard Pollino, 13 White Birch Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in West Neck Harbor at a location designated as latitude 41.04187° north and longitude 72.34776 west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 9th day of July, 2021, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 300

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

"Whereas", John and Blair Borthwick, 71 B Nostrand Parkway, have petitioned the Town of Shelter Island for permission to remove and dispose of 105 feet of existing bulkheading and 35' south return, construct 105 feet of new bulkhead and 35' south return in-kind, in-place, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on the 9th day of July, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 301

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

"Whereas", Brian Sherman, Commissioner of Public Works, has petitioned the Town of Shelter Island for permission to modify the Congdon's Creek dock by adding one 6' by 6' floating dock extension and 6' by 20' perpendicular floating dock in a "T" formation; existing end piling will be relocated to one end of the "T" and one new piling added to the other end, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:46 p. m., prevailing time, on the 9th day of July, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At this point in the meeting, Supervisor Siller was informed that it was not necessary to have a roll call vote for the resolutions, therefore the voting was changed back to normal voting.

RESOLUTION NO. 302

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

"Whereas", the term of Phil DiOrio as a member of the Zoning Board of Appeals will expire on July 8, 2021, and

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

BE IT RESOLVED, That Phil DiOrio is hereby reappointed to serve as a member of the Zoning Board of Appeals for a term to expire on July 8, 2026.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 303

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

"Whereas", the term of Peter Grand as a member of the Water Advisory Committee expired on April 2, 2021, and

"Whereas", Mr. 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, 2023.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 304

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

BE IT RESOLVED, That Margaret Schultheis is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 305

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

BE IT RESOLVED, That Francis Regan is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 306

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

BE IT RESOLVED, That Annabella Springer is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 307

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

BE IT RESOLVED, That Myla Dougherty is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 308

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

BE IT RESOLVED, That Madison Springer is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 309

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

BE IT RESOLVED, That Cass Egan is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.50 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 310

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

BE IT RESOLVED, That Daniel Schultheis is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.50 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 311

Supervisor Siller offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit

BE IT RESOLVED, That Carly Browngardt is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $18.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 312

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

BE IT RESOLVED, That Nell Lowell is hereby appointed to serve as Swim Instructor for the year 2021 at the rate of $30.00 per session.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 313

Councilman Dickson 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 check in the amount of $85.00 received from Times Review Media Group to the A1355.484 Assessors office and miscellaneous account, which represents an overpayment, and the check received from Global Companies LLC in the amount of $76.94 to the refunds from prior years revenue account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 314

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,155.00 from the 2021 A1010.484 Town Board office and miscellaneous account to General Code for the eCode 360 annual maintenance fee for the period April 1, 2021 to March 31, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 315

Supervisor Siller 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 $280.26 from the B3620.491 Building Department contracts account and $280.26 from the B8010.491 Zoning service contracts account to Software Consulting, 54 Elizabeth Street, Suite 17, Red Hook, New York 12571, for the Municity software annual maintenance and support in the Building Inspectors'/Zoning Officers' office.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 316

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

"Whereas", Jonathan Reeves has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 10 Petticoat Lane, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $8,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $8,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 317

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

"Whereas", Happy Groundhog Corner, LLC ("Applicant") has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 18 Manwaring Road, Shelter Island, New York and zoned Zone B/C – Split Zone, designated as Suffolk County Tax Map 0700-15-3-5.1 (the "Premises"), and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $15,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for conditional rebates of up to $15,000 for each of the 2 systems to be installed on the property in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, and

BE IT FURTHER RESOLVED, That the rebate for the second system is contingent on the applicant's agreement to rent at least one unit on the premises at the HUD Fair Market Rent for at least the next five (5) years; the conditional Rebate Agreement should be amended to reflect this requirement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 318

Councilman Colligan offered the following resolution, which was seconded by Supervisor Siller, 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, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 319

Supervisor Siller 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 10K Run Board has requested permission as per application, to hold the 41st annual Shelter Island 10K Run on Shelter Island on Saturday, June 19, 2021, from 5:00 p. m. to 7:00 p. m., at the Shelter Island American Legion Post and Shelter Island School; 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, and

"Whereas", The Race Committee has filed alternate plans which include the following:

(a) the beginning of the race will be staged on School Street;

(b) the number of participants has been reduced to one thousand;

(c) the start of the race has been scheduled one half hour earlier; and

(d) there will be no race activities following the race; now, Therefore

BE IT RESOLVED, That the Town Board does hereby approve the event and also the amended plans, and

BE IT FURTHER RESOLVED, That the Shelter Island Police Department is authorized to take reasonable security precautions especially at the race start and finish areas to protect the runners, and residents, and

BE IT FURTHER 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 320

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $200.00 from the A1490.421 Public Works Congdon's Creek dock account to the Department of Environmental Conservation for the application fee to apply for permission to modify the Congdon's Creek dock by adding one 6' by 6' floating dock extension and 6' by 20' perpendicular floating dock in a "T" formation; existing end piling will be relocated to one end of the "T" and one new piling added to the other end.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 321

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

"Whereas", Carl Norr, 12 North Midway Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor at the Stone Wall at a location designated as latitude 41.410522° north and longitude 72.721575° west, and

"Whereas", a public hearing was duly held on the 7th day of May and continued on the 28th day of May, 2021, 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 stake, mooring and pulley system in Coecles Harbor at a location designated as latitude 41.087833° north and 72.323500° west.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 322

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

TOWN OF SHELTER ISLAND
Resolution of the Town Board

In the matter of amending the Town of Shelter Island Volunteer Ambulance Squad Service Award Program Point System for periods when Special Response Rules were in effect during the COVID 19 pandemic of 2020.

"Whereas:", as authorized by Article 11-AAA of the New York State General Municipal Law the Town Board of the Town of Shelter Island established a Service Award Program for volunteer members of the Shelter Island Volunteer Ambulance Squad; and

"Whereas", active volunteer members of the Squad earn Service Award Program service credit under the Service Award Program Point System adopted by the Town Board of the Town of Shelter Island; and

"Whereas", in response to the outbreak of Novel Coronavirus, COVID-19, NYS Governor Andrew Cuomo declared a STATE DISASTER EMERGENCY and issued EXECUTIVE ORDER 202 OF 2020. In response to the STATE DISASTER EMERGENCY New York State towns, villages, cities and/or their volunteer ambulance company officials adopted Special Response Rules restricting volunteer ambulance company members responses to emergency responses and/or restricting the holding of activities for which points could be earned by volunteers during the STATE DISASTER EMERGENCY; and

"Whereas", the adoption of the Special Response Rules has affected the ability of active volunteer ambulance company members to earn points in service award programs; and

"Whereas", in recognition of the negative effect these Special Response Rules has on the ability of active volunteer ambulance company members to earn service credit during 2020 under service award program point systems, New York State legislators and Governor Andrew Cuomo enacted legislation intended to prevent active volunteer company members who would have earned service award program service credit during 2020 from failing to earn a year of service award program service credit during 2020 due to the adoption of Special Response Rules; and

"Whereas", this legislation, Chapter 113 of 2020 of the Laws of the State of New York, authorizes the Town Board of the Town of Shelter Island to adopt a resolution to amend the Shelter Island Volunteer Ambulance Squad Service Award Program point system by adding a new category to the point system under which up to five (5) points per month (prorated for periods of less than one month) may be awarded to active volunteer members of the Shelter Island Volunteer Ambulance Squad during the period when the Special Response Rules were in in effect; and

"Whereas", should the Town Board elect to adopt such a resolution, Chapter 113 of the Laws of 2020 of the State of New York provides that the adoption of such resolution does not require approval of Town of Shelter Island residents at a Town election, now, Therefore

BE IT RESOLVED, That by adopting this resolution, the Town Board of the Town of Shelter Island adds the following new category to the Shelter Island Volunteer Ambulance Squad Service Award Program Point System:

COVID-19 Pandemic of 2020

As a result of the COVID-19 Pandemic of 2020, the Town Board of the Town of Shelter Island and the governing board of the Shelter Island Volunteer Ambulance Squad adopted Special Response Rules under which the activities for which active volunteer members of the Shelter Island Volunteer Ambulance Squad could earn points under the Shelter Island Volunteer Ambulance Squad Service Award Program point system were reduced and/or restricted effective as of (enter date). Such reduction/restriction in activities continued until the effective date the Special Response Rules were rescinded and all volunteer ambulance Squad activities restored and restrictions on such activities removed by the Town Board and the governing board of the Shelter Island Volunteer Ambulance Squad. From the effective date of the adoption of the Special Response Rules to the effective date that such Rules were rescinded, all active volunteer members of the Shelter Island Volunteer Ambulance Squad shall be awarded 5 points per month with such number of points prorated for periods of less than a complete month. In no event shall points be awarded to active volunteer members of the Squad in accordance with Chapter 113, after April 25, 2021, unless NYS Governor Andrew Cuomo once again extends Executive Order 202 of 2020.

As soon as administratively feasible after the adoption of this resolution by the Town Board, active volunteer members of the Shelter Island Volunteer Ambulance Squad shall be given a written Notice of Amendment announcing the adoption of, and including an explanation of, this additional category to the point system. As soon as administratively feasible, after the Town Board and governing board of the Shelter Island Volunteer Ambulance Squad rescinds the Special Response Rules, a second Notice of Amendment shall be given to active volunteer members of the Squad stating the effective date that the Special Response Rules have been rescinded, and indicating the number of points to be awarded to each active volunteer member during the period when the Special Response Rules were in effect.

Since this amendment to the Shelter Island Volunteer Ambulance Squad Service Award Program points system is intended to prevent active volunteer members who would otherwise have earned service award program credit under the point system during 2020 and/or 2021 from failing to earn credit during 2020 and/or 2021, the adoption of this resolution is expected to have little if any effect on the annual cost of the Shelter Island Volunteer Ambulance Squad Service Award Program.

All other provisions of the Shelter Island Volunteer Ambulance Squad Service Award Program shall not change as a result of the adoption of this resolution and the program shall continue to be administered by the Town of Shelter Island in accordance with Article 11-AAA of the New York State General Municipal Law as such law is amended from time to time.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 323

Supervisor Siller 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 Master Parking Software License and Marketplace Agreement between the Town of Shelter Island and Pavemint, LLC, 3510 Mount Vernon Street, Houston, Texas 77006-4236 for the provision of

collection and administration of parking revenues concerning Town of Shelter Island Day Passes for a period of one year.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 324

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

"Whereas", Cokid Invest, LLC was granted a Wetlands Permit #168 and Special Permit dated April 16, 2021; and

"Whereas", the sole outstanding issue as to the permit was whether a room located on the first floor of an accessory building may be considered an office or must be considered a conventional bedroom under the Town Code; and

"Whereas", condition number 19 of that resolution submitted a question to the Zoning Board of Appeals seeking clarification of the Town Code regarding the definition of a Conventional Bedroom, specifically "In the event that the Zoning Board of Appeals determines that the proposed art studio on the first floor is required to be considered a bedroom, it shall be removed and reincorporated into the garage"; and

"Whereas", the Zoning Board of Appeals, in a written decision, declined to define a conventional bedroom on a project by project basis and referred the question to the Building Inspector; and

"Whereas", in light of this interpretation, the referral of this specific matter to the Zoning Board of Appeals is rendered null and void; and

"Whereas", the Building Inspector determined that the proposed accessory structure is in compliance with Town Code, now, Therefore

BE IT RESOLVED, That this board finds that the Zoning Board interpretation indicating that they lack the jurisdiction to determine whether a room must be considered a bedroom, their referral of such decisions to the Building Department, and the Building Department's subsequent written opinion that the room in question need not be considered a conventional bedroom and is therefore permissible as an office in an accessory building, are acceptable to satisfy the condition of the permit, and that the building permit may be issued.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 325

Councilman Dickson 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 9th day of July, 2021, 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 REVISE SEPTIC REQUIREMENTS, to wit:

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

Section 1. Purpose

The Town of Shelter Island wishes to preserve the health and safety of its citizens and guests and to take those steps that are necessary to ensure that the Island's water supply is protected for this and future generations.

Section 2. Amendment

Chapter 43 of the Town Code of the Town of Shelter Island is amended in that §43-10.4. I/A OWTS Required shall be repealed and replaced as follows:

§43-10.4. I/A OWTS Required

A. An Innovative and Alternative On-site Water Treatment System (I/A OWTS) approved by the Suffolk County Department of Health Services shall be required for the following projects located within the Town of Shelter Island.

(1) All residential construction on previously undeveloped land; or

(2) All residential reconstruction following demolition down to the foundation regardless of whether the building is replaced in the same "footprint"; or

(3) The expansion or renovation (other than maintenance, repair or replacement in kind and place) or basement refinishing of any residential structure or the construction of any new accessory structure unless there is a certification under seal provided by a New York State licensed engineer or architect affirming that the existing septic system is properly sized, functioning and otherwise sufficient for the proposed structure. A set of 8 1/2" x 11" floor plans with room layouts

and labels for each floor, will accompany and cross reference the certification. This provision is not intended to apply to external work with no impact upon water use.

(4) Any septic system upgrade or replacement required by the Suffolk County Department of Health Services; or

(5) Any emergency replacement or upon septic system failure.

B. The requirement to install an Innovative and Alternative On-site Water Treatment System shall make the owner of such property ineligible to obtain a water quality improvement grant unless:

(1) The installation is due to a system failure emergency; or

(2) The proposed construction is for a primary structure totaling less than 1500 SFLA; or

(3) The owner is found by the Town Board to have an economic or situational hardship; or

(4) The totality of the circumstances surrounding the grant application indicate a substantial public benefit will result from funding the project as determined by the Town Board.

C. Applicants that have a complete application pending review before the Shelter Island Building Department or the Suffolk County Department of Health Services as verified by those departments prior to June 18, 2021 shall not have to comply with the requirements herein.

Section 3. Severability

If any provision of this Chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this Chapter.

Section 4. 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. 326

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

"Whereas", at the time of the 2021 budget season, the Suffolk County Public Safety revenue sharing funds were expected to be $82,000.00, and

"Whereas", the Town has been notified that the revenue sharing has been restored to the full amount of $163,961.00, and

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

BE IT RESOLVED, That the following 2021 budget modifications are hereby approved:

$81,961.00 increase to the A1120 Public Safety Revenue Sharing account;

$701.00 increase to a new A1220.103 Supervisor police reform committee clerk/media personal services account;

$630.00 increase to a new A1220.108 Supervisor capital grants committee clerk personal services account, and

$11,905.00 increase to a new A1620.100 Buildings network and systems specialist personal services account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 327

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

BE IT RESOLVED, That the following 2021 budget transfer is hereby approved:

$34,250.00 from the A1620.476 Buildings computer services account to a new A1620.100 Buildings network and systems specialist personal services account;

$1,200.00 from the A6772.145 Nutrition Program cook #2 personal services account to the A6772.485 Nutrition Program van maintenance and fuel account; and

BE IT FURTHER RESOLVED, That the following 2021 budget modifications are hereby approved:

$2,000.00 from the Waterways Fund balance to the A5710.400 Waterways Management expense account;

$33,785.00 from the part Town unexpended fund balance and dispersed as follows:

$16,892.50 to the B3620.200 Building Inspector equipment account, and

$16,892.50 to the B8010.200 Zoning Officer equipment account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 328

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

BE IT RESOLVED, That 2021 general claims numbered 730 through 891 in the amount of $127,131.50, 2021 Community Preservation Fund claims numbered 11 through 14 in the amount of $15,272.62, 2021 highway claims numbered 102 through 119 in the amount of $28,802.02, and 2021 West Neck Water claims numbered 23 through 26 in the amount of $2,865.23 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.

At 5:12 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Benjamin Dyett, 19 Burns Road, for permission to relocate a mooring from Coecles Harbor at a location designated as latitude 41.07492° north and longitude 72.31587° west to a location in Dering Harbor designated as latitude 41.08545° north and longitude 72.346850176° west, which was formerly occupied by Dr. James Lewis.

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

The Supervisor called for the report from the Waterways Committee of the Town Board, which was as follows: the WMAC met on June 7th on all of these applications and on this particular application, this mooring application, they approved it with a vote of five, zero one, the one being the abstainer who is the installer of the mooring, that was Mike Anglin, so it was approved, not a big problem.

The Supervisor opened the hearing for all to be head in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:13 p. m. and called to order the public hearing to be held as advertised on the application of John A. Fichthorn, 19 Montclair Avenue, for permission to remove and dispose of 95 feet of face bulkhead and 9' east return, construct a new 95' face bulkhead and 9' east return, in-kind and in-place, raising the elevation to match the west neighbor.

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

The Supervisor called for the report of the Waterways Committee of the Town Board which was as follows: again that was approved by a vote of six zero, it's just a replacement of an existing bulkhead so no problem with that one whatsoever.

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 5:14 p. m. and called to order the public hearing to be held as advertised on the application of Frederick K. Ivers III, 42 Tuthill Drive, to install a mooring in Coecles Harbor at a location designated as latitude 41.07538° north and longitude 72.2856° west; said mooring location was formerly occupied by the C-1095 F. Kenneth Ivers II mooring.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: we didn't have that Dot, we didn't have that application before us at all; okay; it's from father to son; oh father to son, I don't see any problem with that at all if it stays within the family and in the same place, so we can go ahead with that.

The Supervisor declared the public hearing closed at 5:15 p. m. and reconvened the recessed public hearing on the proposed use of funds from the Water Quality Initiative to pay the annual dues to the Peconic Estuary Partnership proposed use of funds from the Water Quality Initiative to pay the annual dues to the Peconic Estuary Partnership.

Councilwoman Brach-Williams asked if this matter had been discussed at the WQI meeting yesterday. Councilman Dickson responded in the negative.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: this has to do with the, the PEP, the Peconic Estuary Program has put together a plan for the east end towns, to make a financial commitment to them over the next three to five years and this year our initial payment is $5,950.00, I don't know what everybody else's is but it's our fair share; it's low by far and it's not even in the same ballpark as East Hampton and Southampton and Southold, they're the bigger ones, and Riverhead, they're doing a lot of good things in the Peconic Estuary Partnership, a lot of research going on and it's something that will benefit Shelter Island residents and hopefully the shellfishermen here on Shelter Island so I'm happy to endorse that and it's money well spent, do you want me to read this thing; no, that's when we approve it, the reason we held the hearing open is to just to give the WQI a chance to review it; right; to give them an opportunity to weigh in; they are the committee in charge of recommending; yes.

The Supervisor declared the public hearing closed at 5:17 p. m. and reconvened the regular meeting.

RESOLUTION NO. 329

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

"Whereas", Benjamin Dyett, 19 Burns Road, has petitioned the Town of Shelter Island for permission to relocate a mooring from Coecles Harbor at a location designated as latitude 41,07492° north and longitude 72.31587° west to a location in Dering Harbor designated as latitude 41.08545° north and 72.346850176° west, which was formerly occupied by Dr. James Lewis, and

"Whereas", a public hearing was duly held on the 18th day of June, 2021, 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.

RESOLUTION NO. 330

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

"Whereas", John A. Fichthorn, 19 Montclair Avenue, has petitioned the Town of Shelter Island for permission to remove and dispose of 95 feet of face bulkhead and 9' east return, construct a new 95' face bulkhead and 9' east return, in-kind and in-place, raising the elevation to match the west neighbor, and

"Whereas", a public hearing was duly held on the 18th day of June, 2021, 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: 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 Councilman Dickson, to wit:

"Whereas", Frederick K. Ivers III, 42 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07538° north and longitude 72.2856° west; said mooring location was formerly occupied by the C-1095 F. Kenneth Ivers II mooring, and

"Whereas", a public hearing was duly held on the 18th day of June, 2021, for all interested persons to be heard in favor of or in opposition, and

"Whereas", all interested persons were heard in favor 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.

RESOLUTION NO. 332

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

"Whereas", a public hearing was duly held on the 28th day of May, 2021, and continued on the 18th day of June, 2021, in the Shelter Island Town Hall, Shelter Island, New York, on the proposed use of funds from the Water Quality Initiative to pay the annual dues to the Peconic Estuary Partnership, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Board does hereby authorize the Supervisor to expend the amount of $5,950.00 from the Water Quality Initiative funds from the Community Preservation Funds account for the payment of the annual dues to the Peconic Estuary Partnership.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller, and seconded by Councilwoman Brach-Williams, the meeting was adjourned at 5:49 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

June 29, 2021

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 29th day of June, 2021 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and approximately fifteen persons were also present. All members present signed a waiver of notice.

The Supervisor called the meeting to order at 2:08 p. m.

RESOLUTION NO. 333

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

"Whereas" this Board has determined that Bob Kohn's continued membership on the Community Housing Board will not be in the best interests of the Town of Shelter Island or on community housing on Shelter Island, it is therefore

RESOLVED, that Bob Kohn is removed from the Community Housing Board effective immediately.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller, and seconded by Councilman Colligan, the special meeting was adjourned at 2:10 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

July 9, 2021

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 9th day of July, 2021 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, and approximately thirteen persons were also present.

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

The Supervisor read a PROCLAMATION honoring the Shelter Island Library Director and Staff for their excellent work keeping the Library going during the recent Co-Vid Pandemic. (A copy of the proclamation is attached to these minutes.)

Correspondence included the following:

1. An e-mail from Alexander Novarro submitting his resignation from the Deer and Tick Committee, effective following the July meeting on 7/7/2021.
2. A letter from Paul Shepherd containing his resume and applying for the vacant position on the Town Board.
3. A letter from BarbaraJean "BJ" Ianfolla submitting her application for the vacancy on the Town Board.
4. An e-mail from Dorothy S. Ogar, Town Clerk, stating that Local Law No. 7 – 2021, entitled A LOCAL LAW OPTING OUT OF ADULT USE CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTIVE SITE, is now adopted as no petition for a permissive referendum has been filed.

RESOLUTION NO. 334

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

"Whereas", Philip Sabalja, 6 Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.062672° north and longitude 72.357684° west, which is approximately 120 feet southwest off the end of applicant's dock, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time on the 30th day of July, 2021, 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. 335

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

"Whereas", Guadalupe Martinez, 6 Marc Street, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor off Burns Road at a location designated as latitude 41.07497° north and longitude 72.31617° west; said mooring location was formerly occupied by the C-3507 Geehring mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 30th day of July, 2021, 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. 336

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

"Whereas", Camilla Grusd, 90 Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor approximately 130 feet east of the Relyea C-3560 mooring and approximately 120 feet east of the Slater C-3518 mooring and designated as latitude 41.080029° north and 71.300964° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on the 30th day of July, 2021, 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. 337

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

"Whereas", John J. Rowe, 50A Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.061257° north and longitude 72.359768° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:46 p. m., prevailing time, on the 30th day of July, 2021, 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. 338

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

"Whereas", Robert and Brenda Grosbard, 74D North Cartwright Road, have petitioned the Town of Shelter Island for permission to construct a 4' by 24' ramp onto a 4' by 110' catwalk with a 4' by 20' lower platform at offshore end, and install two swim ladders, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:48 p. m., prevailing time, on the 30th day of July, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 339

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

"Whereas", Kenneth Freilich, 16 Little 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 41.07867° north and longitude 72.302667° west; said location was formerly occupied by the Bergman C-2223 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:50 p. m., prevailing time, on the 30th day of July, 2021, 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. 340

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

"Whereas", Robert Fairbairn, 25 Winthrop Road, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as latitude 41.0863° north and longitude 72.34458° west; said mooring location was formerly occupied by the D-3250 Ludlow mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:52 p. m., prevailing time, on the 30th day of July, 2021, 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 duly adopted.

RESOLUTION NO. 341

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

BE IT RESOLVED, That Donna Cass is hereby appointed to serve as Therapeutic Activities Worker for the year 2021 for six hours per week for the Silver Circle at the rate of $22.15 effective June 23, 2021.

Vote: 4 in favor 0 opposed
The resolution was thereupon duly adopted.

RESOLUTION NO. 342

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

BE IT RESOLVED, That Katie Potter is hereby appointed to serve as Assistant Recreation Leader for the year 2021 at the rate of $21.43 per hour.

Vote: 4 in favor 0 opposed
The resolution was thereupon duly adopted.

RESOLUTION NO. 343

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

BE IT RESOLVED, That Tristan Wissemann is hereby appointed to serve as Recreation Aide for the year 2021 at the rate of $17.00 per hour.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 344

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

IT RESOLVED, That the IT committee presently serving is hereby disbanded effective immediately, and

BE IT FURTHER RESOLVED, That the following persons are hereby appointed to serve as a new IT Committee consisting of seven members, effective this date: Councilwoman Amber Brach-Williams, Chief of Police James Read, Kevin Lechmanski, Town Engineer Joe Finora, Commissioner of Public Works Brian Sherman, Committees Clerk Kristina Martin and Confidential Secretary to the Supervisor Judy Meringer.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 345

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

The Supervisor is hereby authorized and directed to credit the reimbursement check in the amount of $66.77 received from Thomson Reuters West Publishing Corp. to the A3120.484 Police Department office and miscellaneous account, and the reimbursement check received from New

York Municipal Insurance Reciprocal in the amount of $2,805.00 to the DA5130.446 Highway Machinery contractual account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 346

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

BE IT RESOLVED, That Resolution 308 - 2021 dated June 18, 2021 which appoints Madison Springer as a lifeguard at the rate of $17.00 per hour is hereby amended to state that Madison Springer is hereby appointed to serve as a lifeguard for the year 2021 at the rate of $16.50 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 347

Supervisor Siller 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 $51,439.00 from the 2021 DA5130.246 Highway Machinery equipment account to Buzz Chew Chevrolet Oldsmobile Cadillac for the purchase of a 2021 Chevrolet Silverado 2500 HD 4WD 142" work truck, including strobes, trailer hitch, rear bumper step, utility back rack, with light mount, and 8.5' snow plow.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 348

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

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island Chamber of Commerce has requested permission as per application dated March 15, 2021, to hold the Art Show and Craft Fair at the Shelter Island School on Saturday, August 21, 2021, from 9 a. m. 5 p. m. with a rain date of August 28, 2021; and

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

"Whereas", the application has been submitted to the Shelter Island Police Department and the Shelter Island Highway Department for recommendations, and

"Whereas", the Police Department has responded as follows: the Police Department is prepared to assist with this event as done in the past, the PD's primary responsibility is traffic control and pedestrian safety along North Ferry Road at the crosswalk in front of the school, and the event coordinator is responsible for all off street parking at the school and other locations, including permissions that need to be granted, 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, now, Therefore

BE IT RESOLVED, That the Town Board does hereby approve the event.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 349

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

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, Andrea Stern, 2 Charlie's Lane, has requested permission as per application dated June 11, 2021, for an art exhibition at 2 Charlie's Lane on several dates between July 21, 2021, and August 8, 2021, 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: All garbage must be picked up in the area, and

"Whereas", the Shelter Island Police Department recommends the following: the need for additional fees for police services will not be required, now, Therefore

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

Vote: 3 in favor 1 opposed (Councilwoman Brach-Williams voted nay.)

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 350

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

"Whereas", Cape Horn, LLC, c/o Alexander Jackson, 4 Nicoll Road, has petitioned the Town of Shelter Island for permission to install an 8,000 pound elevator style boat lift at offshore side of existing dock, and

"Whereas", a public hearing was duly held on the 11th day of September 2020, October 2 and 23, 2020, November 13, 2020, December 4, 2020, and February 5, 2021, 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 boat lift:

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 installation of an 8,000 pound elevator style boat lift at offshore side of existing dock, moving the dolphins from the northeast side of the dock to the southwest side of the dock, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 351

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

"Whereas", the 41st annual Shelter Island Run and the Five Kilometer Fun Walk was held on Shelter Island on Saturday, June 19, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 352

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

"Whereas", Li Productions, P O Box 1349, East Hampton, New York 11937, has requested a filming permit for July 11 and 12, 2021, for filming at 52 Peconic Avenue, and

"Whereas", the filming crew consists of 18 persons, 6 to 7 suvs, and

"Whereas", the Police Department has reviewed the site locations and does not see any issues with vehicles parking in the public spaces; all vehicles parked on the public roadway shall be parked on the shoulder of the road, in the direction of travel and should not interfere with normal vehicular and pedestrian traffic, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 353

Councilman Dickson 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 $3,900.00 from the A1620.476 buildings computer services account to CAI Technologies, 11 Pleasant Street. Littleton, New Hampshire 03561 for the webgis support for the term June 1, 2021 through May 31, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 354

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

BE IT RESOLVED, That the Town Board of the Town of Shelter Island does hereby approve the Service Award Program list of 2020 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: 4 in favor 0 Opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 355

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

"Whereas", pursuant to Resolution No. 528 - 2020 dated November 13, 2020, the Town issued a rebate of $6,000.00 to Paul and Vanessa Cuccurullo under Chapter 88 of the Town Code for the installation of a low-nitrogen sanitary system for their property located at 15 South Cartwright Road, and

"Whereas", the check issued by the Town was cashed by the Cuccurullos and since said check was cashed, the Cuccurullos have decided to return said rebate to the Town to allow them to expand their home which is not permitted pursuant to the Septic Rebate Agreement for three years, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the check number 675 received from the Cuccurullos back into the Water Quality account.

Vote: 4 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 Dickson, to wit:

BE IT RESOLVED, That the following 2021 budget transfers are hereby approved:
$600.00 from the A8160.437 Landfill contingency account and dispersed as follows:
$500.00 to the A8160.439 Landfill demo concrete account, and
$100.00 to the A8160.484 Landfill office and miscellaneous account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 357

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

BE IT RESOLVED, That 2021 general claims numbered 892 through 1004 in the amount of $103,837.34, 2021 Community Preservation Fund claims numbered 15 through 16 in the amount of $238.07, 2021 highway claims numbered 120 through 129 in the amount of $7,356.12, and 2021 West Neck Water claims numbered 27 through 28 in the amount of $16,891.50 V 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 adopted.

RESOLUTION NO. 358

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

RESOLVED: that the Supervisor is authorized to execute the attached contract between the Town of Shelter Island and the Suffolk County Water Authority as well as any additional terms requested by the West Neck Water Board of Directors for a term of six months at a flat fee of $30,000.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared 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 Donald C. DeVries, 24 Winthrop Road, for permission to install a mooring in Coecles Harbor near the Stone Wall, at a location designated as latitude 41.08630° north and longitude 72.3150° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: this was 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 4:58 p. m. and called to order the public hearing to be held as advertised on the application of Gerard Pollino, 13 White Birch Road, for permission to install a stake, mooring and pulley system in West Neck Harbor at a location designated as latitude 41.04187° north and longitude 72.34776° west.

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: they met on June 7th and approved this unanimously.

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 4:59 p. m. and called to order the public hearing to be held as advertised on the application of John and Blair Borthwick, 71 B Nostrand Parkway, for permission to remove and dispose of 105 feet of existing bulkheading and 35' south return, construct 105 feet of new bulkhead and 35' south return in-kind, in-place.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: again, same meeting date and it was approved unanimously.

The Supervisor opened the public hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:00 p. m. and called to order the public hearing to be held as advertised on the application of Brian Sherman, Commissioner of Public Works, to revise the Congdon's Creek dock by adding one six foot by six foot floating dock extension and six foot by twenty foot perpendicular floating dock in the "T" formation; existing end piling will be relocated to one end of the "T" and one new piling added to the other end.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: they met on the same date and this is to accommodate the Police boat at the Congdon dock so it went through without any problem, it's a good addition actually.

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 5:02 p. m. and called to order the public hearing to be held as advertised on the proposed local law entitled REVISE SEPTIC REQUIREMENTS.

The Town Clerk noted to public hearing as advertised. in the Shelter Island Reporter.

Correspondence included the following:
1. A memo from the Planning Board suggesting certain amendments to the proposed law.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: we had three concerns really, one was that most septic systems go through the current __ in the County which means they've already been certified by a number of individuals, the system is originally designed by an engineer and then when it is installed by the installer, it's inspected at least once by the County, typically twice especially if there's an activation ___ for permeability, so the engineering __ by the installer installing it under their license, the inspectors come out and then the engineer can do the inspection and then sign off on it and then all of those documents get put into the County and the County double checks them to make sure that corresponds with their records and then they issue that final green stamp certifying that the system was installed according to their regulations so if someone that has a registered County permitted system, shouldn't be required to then go and have an engineer come out and say yes everything that the County has already inspected is as the County has inspected it because that's redundant, it's already been done during the installation process so the times it would be required for someone to have it certified would be if it was pre 1972 and they don't have a certificate of installation, if it had emergency failure and they have upgraded it without a County process which does happen, or it used to happen where it is not allowed, if typically that was the case, then the installer would issue the certificate of installation, that would say what was installed and typically gave them a map showing the location of all the parts of that system, so you know, our thought process was if they have a certificate of installation or if they have an RO number with a certificate from the County, then they do not necessarily require a, they shouldn't be required to have an additional inspection on top of that, it's costly to do, you have to dig up the system, you have to pump the system, you have to have an engineer come out and then re-inspect it and then that gets filed so that can cost about two thousand dollars for the pumping and excavation and that's only if it's not like underneath something like a patio or if they're, you know, they have to get people to do the work, so that was one of the concerns of the Planning Board, it's kind of an extra, there are other cases where it would be needed, so like I said, we're just here with paperwork pre 1973 with no documentation from the County, that would make sense, otherwise the system is certified, the County has records, you can FOIL them and get them and get copies; how about the next one, the version of non-habitable; oh yes, so that was more a language issue, when we read the original, it didn't state whether it had habitable living space and so the concern about an empty garage with no plumbing, then that would trigger a septic upgrade but it has no impact on the septic, so by using the terminology that correspondence to what the Building Department would use, we felt that it made it clearer and more enforceable and then the last one was just the date of acceptance, so it would be really hard I think, to retroactively say that anything after March 31st of 2018 now has to comply with the ____, I just don't feel like that would be ease to actually apply; so really the big one is the language with the conversion of non-habitable basements or attics, certification of construction work or separate certification; yeah I don't have any problem with you know, habitable space, that's semantics, I do take issue with some of the points you made, the Planning Board made, you talk about being inspected and approved, if a system was put in in 1975, that was inspected and approved; if we have the certification to prove that; yes; that was forty-five years ago Meg; __; let me finish, has the house been modified since then, has an addition, any renovation done within forty-five years; so here's the thing, part of the process of doing the renovation, addition would mean that they would have to certify that they'd have to certify the septic system and that septic system would not be up to code and they would have to upgrade it; every house is inspected and certified if it has an addition, if it's been renovated; if they're going through a permit process, the engineers __ check the process; __ the applicant has gone through the permitted process, can you answer that; if it's gone through the permitting process, then that's part of the procedure, it has, the engineer has to make sure that what they're proposing meets the code so

historically how would we not, historically, that wasn't accurate but going forward, that's the process, that's the procedure that people have to take; okay, if that is all taken place, is that system operating properly, functioning properly, can the Planning Board attest to that; no, it's not our job, it's the engineer's job to do their inspection; so that's why the inspection has to be done; but only, no because it only applies if you're expanding the usage, then you have to address the size of your system; is the system, but you can assure that all the systems are functioning properly; that's not what I said; how can you do that, how can you do that, that's part and parcel of it, to make sure; ___ collecting waste and leaching it into the ground which was a functional design; frankly I'm disappointed in you Meg; no, my question; you know, part and parcel of this, is to know that the systems are operating, are functioning properly, that exist on the Island, that's part and parcel of it, not just that there's a renovation or addition, that's the other part of it, it's to make sure that things are functioning properly, so how could we do that if we don't have an inspection of it, you can't, that's what I feel we need; I understand, I'm just saying that to require it of everybody; not everybody, not everybody if you're renovating your house, if you're doing a renovation or addition; but let's say the house was built in 2000, you know what the system is, there is no need to; I don't think we can make a provision for that cause then that's building in loopholes; no I'm not saying it's __ but I'm saying that there are cases where it won't be necessary, in other words, if it's fully certified and inspected, you know what's there, a traditional concrete system has a thirty year life span, most of these systems are getting near the end of their life span, those are older systems that would trigger an upgrade when you go to do any upgrade or renovation cause then they're too small, they don't meet the requirement so even the documentation from the County would say that __ nine hundred gallon tank doesn't meet code, you're gonna have to update it, just the paperwork alone would say that; whatever, everybody has what they want to do here, I would like to have these systems inspected to make sure that they're functioning properly, I don't think you can verify the systems are functioning properly, that's what this would do, it would start to go after nitrates, really, I don't, that's my position, you know, it's the one step that we can take to start to ensure that septic systems are functioning properly if somebody wants to put an addition on their house, or renovation, two thousand dollars to pump it out, I don't know, I've had my system pumped out, it cost me eight hundred dollars each time, I have fifteen hundred gallon tank; right, so then you have to add the engineer's certification, the engineer has to come to __; right, that's the crux of it, that the engineer comes and certifies that the system is functioning properly; well the certification only states what the system is constructed of; and that it's functioning properly, the certification will say that the system is functioning properly and it can handle what's proposed for the renovation, I mean I don't, you know, that's how I feel about it, so what are we doing, we have a nitrate problem on Shelter Island, are we gonna do something about it or just say whatever, I don't know; I understand exactly; ___ arguing; I'm not arguing; yes you are, yes; you are; ___; I'm disappointed; the way it is written, is it's not necessary, some many things are gonna get triggered without requiring; just on the same token, in my mind it's building in loopholes that we can circumvent the system, this knowledge that we can gain, that systems are functioning properly, that systems are functioning properly and they're sized appropriately for the structure, what's proposed; right; it just ensures that, you get an engineer or a licensed architect to seal __, then we know; if, an older system, a pre-capped system is not backing up into the house or boiling into the yard, then; let's have it inspected; then it's considered functional; let's have it inspected and put a seal on it and then we know; I understand, I absolutely understand what you're saying, the Planning Board has that position; no I understand, I differ from it, I look at it totally different; I want to suggest that, any other comments, what I'd like to suggest is that we close the hearing and put it on the agenda for Tuesday, I'd like the Planning Board to come and let's finalize this; alright, the Planning Board, what, have them all come in to the work session; whatever time it's on; how does the Board feel now, at this point in time, I mean I understand, I understand Meg's point but more so I understand your point, if it's mostly a monetary thing, I don't think that's our biggest concern cause if you put an addition on your house, it's part of the cost of putting the addition on, making sure the system is adequate for what the need is, and just as you said, it's time to address the nitrates problem any way we need to let's make sure we're not making rules just for the sake of making rules; Gerry if we make rules now, they have to be tight, this is gonna build in loopholes; right; a way to circumvent, well no, that's all right, it has to be right or let's not do it at all; right, I'm leaning your way, I just want to make sure I understand the Planning Board's, and the reason I'm saying that Al is for myself is I always say that's why we have the Planning Board, that's why we have the CAC, that's why we have the WAC, because we count on them to advise us, so I'm advising us, so I want to make sure that I understand exactly what they're saying because I do understand what you are saying, okay, that's how I feel; I would like more time just to consider this cause we did just get it this week, so, it's been a busy week; Meg; one of our questions too is how the paperwork is gonna be processed because the certification form that you were talking about that the County would use with the

engineer, they don't process independently of an application, there's no process for them to do that, so our question to you was that if there was an independent review of the __; the engineer would; the Town Engineer would review it as part of the application, that was part of our question too because there's no place at the County level for the review of anything which is why we were confused because that added a whole nother level that wouldn't be processed; we brought it up with the Town Engineer and Joe agreed that he would just review it, cause that was part of our concern too cause permit applications would never move forward, they would just get stuck; yea; so that was part of the concern; was that a major part of the concern, the time loss and things of that nature; the logistics of it are complicated and even just for the homeowners to get someone out to dig up the whole system, get it certified, takes time, a lot of people just don't want to do it because it's just a hassle but that is just one of the many reasons, before __ were hired and things were justified when things need an upgrade or will require an upgrade, there's a lot of pieces to it, all of these applications are very complicated, very paper intensive, there's a lot of people that work at them, especially if the ___ to the Town, so we just want to make sure that whatever __ in a way that's understandable and you know in __, not adding a whole nother layer of confusion; you have to understand Meg, in general we're trying to, we've been trying very hard to make things easier for the general public to do things but in this case we're looking for the long term ___ ; right; we want to make sure that ___; it doesn't seem like it would be ____; okay so we want the Planning Board; maybe the CAC too; they haven't discussed it, the CAC hasn't discussed it; do you want to bring in the WAC, they would probably be lined up right alongside of me on this one, I mean water is an issue; __; ___; let's hear from everybody; well I support Albert's main thrust there, the nitrogen problem is something that is real, we can't talk it away; we all agreed on that, it's just the language, there's language if you're gonna have livable space; let's make sure; the problem is I don't have any problem, I think that's a good point, habitable space; yes some of those corrections we made right there, we made two of them already, so I think, if we just get the word out, let's try to, rather than fight one another, let's work together to try to get a resolution on this; right; I'd rather fight; are you feisty lately; as long as everybody does understand the problem already that's already happening and how that already __ work with; thanks Meg; thank you Meg; you're welcome.

At 5:17 p. m., the Supervisor declared the public hearing closed and reconvened the regular meeting.

RESOLUTION NO. 359

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

"Whereas", Donald C. DeVries, 24 Winthrop Road, 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 41.08630° north and longitude 72.3150° west, and

"Whereas", a public hearing was duly held on the 9th day of July, 2021, 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.

RESOLUTION NO. 360

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

"Whereas", Gerard Pollino, 13 White Birch Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in West Neck Harbor at a location designated as latitude 41.04187° north and longitude 72.34776° west, and

"Whereas", a public hearing was duly held on the 9th day of July, 2021, and

"Whereas", all interested persons were 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.

RESOLUTION NO. 361

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

"Whereas", John and Blair Borthwick, 71 B Nostrand Parkway, have petitioned the Town of Shelter Island for permission to remove and dispose of 105 feet of existing bulkheading and 35' south return, construct 105 feet of new bulkhead and 35' south return in-kind, in-place, and

"Whereas", a public hearing was duly held on the 9th day of July, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 362

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

"Whereas", Brian Sherman, Commissioner of Public Works, has petitioned the Town of Shelter Island for permission to modify the Congdon's Creek dock by adding one 6' by 6' floating dock extension and 6' by 20' perpendicular floating dock in a "T" formation; existing end piling will be relocated to one end of the "T" and one new piling added to the other end, and

"Whereas", a public hearing was duly held on the 9th day of July, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:25 p. m., on motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned. This motion was carried.

Dorothy S. Ogar
Town Clerk

July 30, 2021

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 30th day of July, 2021, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, and approximately thirty-seven persons were also present.

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

Salute to flag.

The Shelter Island Police Department and friends and family of Sean Clark were present to witness the swearing in of Sean as a member of the Police Department. Sean was sworn in by Supervisor Gerard F. Siller.

Correspondence included the following:

1. An e-mail from Stella Lagudis containing a resume and cover letter for Andrew Chapman for a position on the WAC.
2. An e-mail from Matt Sherman containing the proposed changes to Town Code Section 43-10.4 which is being considered by the Town Board.
3. A letter from BarbaraJean "BJ" Ianfolla submitting her application for the vacancy on the Town Board.
4. An e-mail from Peter McCracken resubmitting his application to be reinstated on the Community Housing Board.
5. An e-mail from Michael Shatken concerning the proposed septic system law.
6. An e-mail from Michael Shatken applying for positions on the Planning Board and Housing Board.
7. An e-mail from Bruce Saul containing recommendations to the Community Housing laws.
8. An e-mail from Julia Weisenberg submitting her application for membership on the Community Housing Board.
9. An e-mail from Lori Beard Raymond dated July 12, 2021, submitting her resignation effective immediately from the West Neck Water Board.
10. An e-mail dated July 12, 2021 from Miles Wilson resigning from the West Neck Water Board effective immediately.

11. An e-mail from Marc Wein dated July 22, 2021, resigning from the Deer & Tick Committee.
12. An e-mail from Paul Cuccurullo submitting his resume and application for the vacancy on the Community Housing Board.

The Supervisor presented the following monthly report for the month of June, 2021:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
JUNE 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	5,580,311.27	3,627,498.21	1,236,437.58	7,971,371.90	810,001.32
Hwy Checking	2,338,377.39	16,877.13	232,877.86	2,122,376.66	
T&ACheckin	3,167,884.83	3,464,094.71	6,455,823.25	176,156.29	10,518.08
T&A Savings	12,239.44	0.33		12,239.77	
Hwy Cap Res	376,957.79	22,510.34		399,468.13	
WNW Supply	19,927.84	4,039.63	8,050.23	15,917.24	134,277.58
Taylor's Island	44,125.57	0.36		44,125.93	
Comm. Preser	4,382,040.52	437,299.23	62,682.29	4,756,657.46	5,905,340.38
Waterways	154,752.66	6,423.00	2,000.00	159,175.66	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,401.95
Environmental	0.00			0.00	5,680.07
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	241,477.15	1.96		241,479.11	
Ambul Train	24,482.71	0.66		24,483.37	
TOTALS	18,649,223.83	7,578,745.56	7,997,871.21	18,230,098.18	7,237,219.38

RESOLUTION NO. 363

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07961° north and longitude 72.29765° west, formerly occupied by the J & L Eklund C-1107 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 20th day of August, 2021, 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. 364

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07919° north and longitude 72.29781° west, formerly occupied by the J & L Eklund C-1108 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:41 p. m., prevailing time, on the 20th day of August, 2021, 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. 365

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07873° north and longitude 72.29795° west, formerly occupied by the J & L Eklund C-1109 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 20th day of August, 2021, 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. 366

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07961° north and longitude 72.29771° west, formerly occupied by the J & L Eklund C-1110 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:43 p. m., prevailing time, on the 20th day of August, 2021, 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. 367

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07397° north and longitude 72.29818° west, formerly occupied by the J & L Eklund C-1111 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on the 20th day of August, 2021, 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. 368

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07888° north and longitude 72.29823° west, formerly occupied by the J & L Eklund C-1112 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:46 p. m., prevailing time, on the 20th day of August, 2021, 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. 369

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07935° north and longitude 72.29881° west, formerly occupied by the J & L Eklund C-1113 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:47 p. m., prevailing time, on the 20th day of August, 2021, 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. 370

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

"Whereas", Ram's Head Inn, LLC, Aandrea Carter, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07895° north and longitude 72.29878° west, formerly occupied by the J & L Eklund C-1114 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:48 p. m., prevailing time, on the 20th day of August, 2021, 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. 371

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

"Whereas", Rick Radigan, 5 Community Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay, at a location designated as latitude 41.03966° north and longitude 72.21813° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:49 p. m., prevailing time, on the 20th day of August, 2021, 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. 372

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

"Whereas", Richard Tarlow 2011 Trust, 25 Nostrand Parkway, has petitioned the Town of Shelter Island for permission to remove existing plus or minus 9 linear feet of wood bulkhead return, and construct new plus or minus 16 linear foot return along property line, beginning at landward end of existing concrete seawall return, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:54 p. m., prevailing time, on the 20th day of August, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 373

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Dickson, 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 18, 2021, Madison Springer was appointed to serve as a lifeguard for the year 2021, and

"Whereas", Madison Springer has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Madison continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Madison Springer is hereby appointed to serve as lifeguard for the year 2021 at the rate of $16.50 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 374

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

BE IT RESOLVED, That Resolution No. 306 – 2021 which appoints Annabella Springer as a Lifeguard at the rate of $17.00 per hour is hereby amended to state that Annabella Springer is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $17.50 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 375

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

BE IT RESOLVED, That Resolution No. 310 – 2021 which appoints Daniel Schultheis as a lifeguard at the rate of $17.50 per hour is hereby amended to state that Daniel Schultheis is hereby appointed to serve as Lifeguard for the year 2021 at the rate of $18.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 376

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

BE IT RESOLVED, That Cori Cass is hereby appointed to serve as Recreation/Fit Aide for the year 2021 at the rate of $18.21 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 377

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

"Whereas", Darren Kiley has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 6 Manhanset Road, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $6,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $6,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 378

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

"Whereas", Elizabeth McKee has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 4 Manhanset Road, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $6,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $6,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 379

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

"Whereas", the Town Board approved a permit for Ms. Rachel King to hold a catered dinner party for approximately eleven people at Wade's Beach on July 10, 2021, and

"Whereas", Ms. King paid a compliance fee of $100.00, and

"Whereas", the Superintendent of Highways has requested that no fees are required for said dinner party, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit to Ms. Rachel King, P. O. Box 195, Shelter Island, NY 11964.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 380

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

"Whereas", a filming permit was issued to Li Productions for filming at 52 Peconic Avenue on July 11 and 12, 2021, and

"Whereas," Li Productions paid a deposit of $1,000.00 for said filming, and

"Whereas," no portion of said deposit was utilized, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit of $1,000.00 to Li Productions, P. O. Box 1349, East Hampton, New York 11937.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 381

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

"Whereas", the Town Board adopted a BOARDS & COMMITTEES RULES OF PROCEDURE, concerning the conduct of members of Town Boards and Committees, and

"Whereas", certain amendments are proposed, now, Therefore

BE IT RESOLVED, The Town Board hereby adopts the amended BOARDS & COMMITTEES RULES OF PROCEDURE dated June 18, 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 382

Councilman Dickson 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 $2,100.00 to Vigilant Solutions, LLC, 1152 Stealth Street, Livermore, CA 94551 for the annual subscription renewal fee for four cameras for the Police Department, to be paid from the Police Department A 3120.491 contracts account for the period July 21, 2021 through June 22, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 383

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

"Whereas", an agreement has been reached between the Town of Shelter Island and the Shelter Island Police Benevolent Association, Inc. pursuant to an Agreement dated June 30, 2021 concerning the implementation of the New York State Paid Family Leave coverage for PBA Unit members, now, Therefore

BE IT RESOLVED, That the Town Board hereby authorizes the Supervisor to sign said agreement.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 384

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

"Whereas", Town Code Section 92-6 provides 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" is exempted from the constraints of the noise ordinance; and

"Whereas", the Town Board wishes to ensure that, in order to qualify for this exception, the true purpose of the event is consistent with the statute; now, Therefore

BE IT RESOLVED, That any event on public or private property, including any business property that seeks an exception from the Town Noise Ordinance under the charitable exception as set forth in section 92-6 must obtain Town Board approval for such exception prior to the beginning of the event; and

BE IT FURTHER RESOLVED, That each charitable event shall require a separate approval; and

BE IT FURTHER RESOLVED, That in order to qualify for the exception, the charity must be a registered tax exempt corporation, a New York State Registered Charity or a municipal corporation or department; and

BE IT FURTHER RESOLVED, That in order for an event to qualify for a charitable exception from the Noise Ordinance, the principal purpose of the event must be support of the charity, and the event must raise at least one thousand dollars ($1,000) for the named charity.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 385

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

"Whereas", pursuant to Resolution No. 276 – 2021 adopted on May 28, 2021, the Town of Shelter Island purchased a Horizontal Grinder utilizing $300,000.00 from the fund previously set aside for funding for grants pursuant to Resolution No. 563 – 2018, and

"Whereas", the Town has received the grant reimbursement from the State of New York for said Horizontal Grinder in the amount of $355,000.00, now, Therefore

BE IT RESOLVED, That said amount of $355,000.00 is hereby credited as follows:

$300,000.00 to the fund that was previously set aside for funding for grants,

$28,258.00 to the general fund balance; and

$26,742.00 to the Highway Capital Reserve Fund.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 386

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

BE IT RESOLVED, That Resolution No. 326 – 2021 adopted on June 18, 2021 is hereby amended in part to read as follows:

BE IT RESOLVED, That the following 2021 budget modifications are hereby approved:

$81,961.00 increase to the A1120 Public Safety Revenue Sharing account;

$701.00 increase to a new A1220.103 Supervisor police reform committee clerk/media personal services account;

$630.00 increase to a new A1220.108 Supervisor capital grants committee clerk personal services account;

$11,905.00 increase to a new A1620.100 Buildings network and systems specialist personal services account;

$44,080.58 increase to A3120.100PS Police Personnel Services account;

$2,966.67 increase to A3120.112 Police Night Differential personal services account;

$1,995.03 increase to A3120.114 Police Holiday Pay account;

$700.00 increase to A3120.488 Police Uniform Cleaning account;

$1,000.00 increase to A3120.487 Police Uniform Allowance account;

$800.00 increase to A3120.273 Police Weapons and Ammunition account; and

$17,182.72 increase to A3120.272 Police New Vehicle account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 387

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

"Whereas", there has been an unanticipated increase in 2021 concrete-in revenues in the amount of $11,201.00, and

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

BE IT RESOLVED, That the following 2021 budget modifications are hereby approved:

$11,201.00 increase to the A2130K Concrete-in revenue account, to be funded by said unanticipated revenue; and

$11,201.00 increase to the A8160.439 Landfill demo concrete-out account.
Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 388

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

BE IT RESOLVED, That the following 2021 budget transfers are hereby approved:
$17,848.00 from the A1990.400 Contingent account and dispersed as follows:
$250.00 to a new A1620.484 Buildings/IT office and miscellaneous account, and
$17,598.00 to the A3120.272 Police Department new vehicle account;
$100.00 from the A3120.484 Police Department office and miscellaneous account to the A3120.483 Police Department telephones account;
$200.00 from the A8160.128 Landfill hazmat overtime personal services account to the A8160.131 Landfill hazmat longevity account;
$500.00 from the A8160.130 Landfill hazmat double time personal services account to the A8160.105 Landfill hazmat personal services account;
$1,000.00 from the A8160.437 Landfill contingency account to the A8160.484 Landfill office and miscellaneous account; and
$240.00 from the DA5130.154 Highway Machinery mechanics double time personal services account to the DA5140.168 Highway Brush & Weeds double time personal services account; and

BE IT FURTHER RESOLVED, That the following 2021 budget modification is hereby approved:
$3,500.00 from the Waterways Fund unexpended balance to the A5710.400 Waterways Management contractual account.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 389

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

BE IT RESOLVED, That 2021 general claims numbered 1105 through 1246 in the amount of $299,342.60, 2021 highway claims numbered 130 through 148 in the amount of $7,737.16, and 2021 West Neck Water claims numbered 29 through 33 in the amount of $11,469.53 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: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

A 4:59 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Philip Sabalja, 6 Westmoreland Drive, for permission to install a mooring in West Neck Bay at a location designated as latitude 41.062672° north and longitude 72.357684° west, which is approximately 120 feet southwest off the end of applicant's dock.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: okay, since there is going to be a series of six moorings and one catwalk application, all of these meetings were held on July 19th by the WMAC, all of them were approved, there were no negative votes, there was an abstention on one for the person who is actually putting in the mooring but on Sabalja it was approved unanimously; 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 5:00 p. m. and called to order the public hearing to be held as advertised on the application of Guadalupe Martinez, 6 Marc Street to install a mooring in Coecles Harbor off Burns Road at a location designated as latitude 41.07497° north and longitude 72.31617° west; said mooring location was formerly occupied by the C-3507 Geehring mooring.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: again a mooring and it was passed unanimously.

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 Camilla Grusd, 90 Ram Island Drive, for permission to install a mooring in Coecles Harbor approximately 130 feet east of the Relyea C-3560 mooring and approximately 120 feet east of the Slater C-3518 mooring and designated as latitude 41.080029° north and 71.300964° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: approved by a vote of five, zero, one, the one abstention is the person who is putting in the mooring, that was Mike Anglin.

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 5:02 p. m. and called to order the public hearing to be held as advertised on the application of John J. Rowe, 50A Westmoreland Drive, for permission to install a mooring in West Neck Bay at a location designated as latitude 41.061257° north and longitude 72.359768° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: approved, that was five, zero, one, good to go.

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 application of Robert and Brenda Grosbard, 74D North Cartwright Road, for permission to construct a 4' by 24' ramp onto a 4' by 110' catwalk with a 4' by 20' lower platform at offshore end, and install two swim ladders.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: approved unanimously.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: questions; question, the dock was a hundred and ten feet; yes; and they were adding on a ramp and there was no discussion on that, I'm not questioning you, I just, I mean the dock, inside waters, it's a hundred foot and they're adding on, it's already a hundred and ten and adding; that one was actually discussed the month before in the month of June; no that's fine; Jack is that one of yours; it probably is; I guess I'm surprised at that, it's already beyond the hundred foot and then they're adding on to it; yeah; again; Jack Costello, are you here; I mean, I hate to go down that road, it's already, it's longer than allowable in inland waters and now they're adding on to the end of it, I hate to just start to go down that road; I have a stupid question, what's the difference between a catwalk and a dock; a catwalk is just getting to the dock; hey guys can you hear me; yes, Al, the length is from high water so if I go inshore of high water, the overall length __, the overall length matters from high water, you know what I'm saying, that ramp is inshore so the overall length is based from high water, it is a hundred and ten feet from high water so the _ is not part of that equation, no because; __; then the water portion is; yeah it's only ten feet over the Code, the inshore marsh has nothing to do with the length; now I understand it, thank you; thanks Jack.

The Supervisor declared the public hearing closed at 5:05 p. m. and called to order the public hearing to be held as advertised on the application of Kenneth Freilich, 16 Little Ram Island Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07867° north and longitude 72.302667° west; said location was formerly occupied by the Bergman C-2223 mooring

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: it's a take over mooring from the Bergman mooring and it was passed unanimously except for the installer which was abstention, five zero one.

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 called to order the public hearing to be held as advertised on the application of Robert Fairbairn, 25 Winthrop Road, for permission to install a mooring in Dering Harbor at a location designated as latitude 41.0863° north and longitude 72.34458° west; said mooring location was formerly occupied by the D-3250 Ludlow mooring.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: that was also passed five zero one.

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 reconvened the regular meeting.

RESOLUTION NO. 390

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

"Whereas", Philip Sabalja, 6 Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.062672° north and longitude 72.357684° west, which is approximately 120 feet southwest off the end of applicant's dock, and

"Whereas", a public hearing was duly held on the 30th day of July, 2021, 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.

RESOLUTION NO 391

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

"Whereas", Guadalupe Martinez, 6 Marc Street, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor off Burns Road at a location designated as latitude 41.07497° north and longitude 72.31617° west; said mooring location was formerly occupied by the C-3507 Geehring mooring, and

"Whereas", a public hearing was duly held on the 30th day of July, 2021, 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.

RESOLUTION NO 392

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

"Whereas", Camilla Grusd, 90 Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor approximately 130 feet east of the Relyea C-3560 mooring and approximately 120 feet east of the Slater C-3518 mooring and designated as latitude 41.080029° north and 71.300964° west, and

"Whereas", a public hearing was duly held on the 30th day of July, 2021, 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.

RESOLUTION NO. 393

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

"Whereas", John J. Rowe, 50A Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.061257° north and longitude 72.359768° west, and

"Whereas", a public hearing was duly held on the 30th day of July, 2021, 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.

RESOLUTION NO. 394

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

"Whereas", Robert and Brenda Grosbard, 74D North Cartwright Road, have petitioned the Town of Shelter Island for permission to construct a 4' by 24' ramp onto a 4' by 110' catwalk with a 4' by 20' lower platform at offshore end, and install two swim ladders, and

"Whereas", a public hearing was duly held on the 30th day of July, 2021, 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 ramp, catwalk, etc.

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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 395

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

"Whereas", Kenneth Freilich, 16 Little 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 41.07867° north and longitude 72.302667° west; said location was formerly occupied by the Bergman C-2223 mooring, and

"Whereas", a public hearing was duly held on the 30th day of July, 2021, 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.

RESOLUTION NO. 396

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

"Whereas", Robert Fairbairn, 25 Winthrop Road, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as latitude 41.0863° north and longitude 72.34458° west; said mooring location was formerly occupied by the D-3250 Ludlow mooring, and

"Whereas", a public hearing was duly held on the 30th day of July, 2021, 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 Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:14 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

August 3, 2021

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 August, 2021 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and two persons were also present.

The Supervisor called the meeting to order at 3:03 p. m.

All Town Board members signed a Waiver of Notice for today's special meeting.

RESOLUTION NO. 397

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

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, Stephen Searle/Sylvester Manor Educational Farm, 80 North Ferry Road, has requested permission as per application dated May 28, 2021, to hold a Creekside Concert featuring the band Tuba Skinny, on the Sylvester Manor Grounds on August 7, 2021, and

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

"Whereas", applicant has filed a request to be exempt from the Noise Law during said concert, and

"Whereas", the applicant has applied for a one day beer/wine permit from New York State, and

"Whereas", the Shelter Island Highway Department has stated as follows: All garbage must be picked up in the area and taken away by caterers, and

"Whereas", the Shelter Island Police Department recommends the following: the need for additional fees for police services will not be required; now, Therefore

BE IT RESOLVED, That the Town Board does hereby approve permission for said concert, and

BE IT FURTHER RESOLVED, That the Town Board does also approve exempting the applicant from the regulations of the Noise Ordinance.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 398

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

"Whereas", the Shelter Island Fire Department has verbally requested permission to host a concert featuring a band, on Saturday, the 7th day of August 2021, at SALT, 63 South Menantic Road, from 5:30 p. m. to 8:30 p. m. as a fund-raiser for the Fire Department, and

"Whereas", the applicant has requested to be exempt from the Noise Law during said concert, now, Therefore

BE IT RESOLVED, That the Town Board does hereby approve permission for said concert, and

BE IT FURTHER RESOLVED, That the Town Board does also approve exempting the applicant from the regulations of the Noise Ordinance.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Colligan, the special meeting was adjourned at 3:06 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

August 20, 2021

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 20th day of August, 2021, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, and approximately fourteen persons were also present.

The Supervisor called the meeting to order at 4:32 p. m.

Salute to flag.

Correspondence included the following:

1. An e-mail from Pam Demarest containing letters to the Town Attorney, Town Supervisor, Town Board members, Senior Building Inspector and Zoning Board of Appeals concerning the Cokid project.
2. An e-mail from Jodi Bentivegna applying for a position on the Community Housing Board.
3. A letter from Craig Wood dated August 3, 2021, concerning vaccinations for Board members and resigning from the Conservation Advisory Council effective immediately.
4. An e-mail from Elizabeth Hanley stating she is interested in serving on the Community Housing Board.
5. An e-mail from Steve Austin stating that Shelter Island should consider a ban on the use of leaf blowers similar to one like Sag Harbor.
6. A letter of recommendation from the ZBA concerning mailing and posting requirements of notices.
7. A letter from the Lions Club concerning exceptions to the Town Code 92 Noise.

RESOLUTION NO. 399

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

BE IT RESOLVED, That James Polychron is hereby appointed to serve as Silver Circle/Mini Bus Driver for the year 2021 at the rate of $22.15 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 400

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

BE IT RESOLVED, That David Binder is hereby appointed to serve as Silver Circle/Mini Bus Driver for the year 2021 at the rate of $22.15 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 401

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

BE IT RESOLVED, That Donna Cass is hereby appointed to serve as Silver Circle/Mini Bus Driver for the year 2021 at the rate of $22.15 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 402

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

BE IT RESOLVED, That Reed Karen is hereby appointed to serve as Fire Marshal for the year 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 403

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

"Whereas", John M. Desisto, 9 North Menantic Road LLC, 9 North Menantic Road, has petitioned the Town of Shelter Island for permission to install a mooring in the West Neck Creek at a location designated as latitude 41.063193° north and longitude 72.353658° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:50 p. m., prevailing time, on the 10th day of September, 2021, 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. 404

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

"Whereas", 6 Daniel Lord Road LLC, John M. Desisto, 6 Daniel Lord Road, has petitioned the Town of Shelter Island for permission to install a mooring in the West Neck Bay at a location designated as latitude 41.065006° north and longitude 72.362160° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:52 p. m., prevailing time, on the 10th day of September, 2021, 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. 405

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement check in the amount of $1,454.00 received from JR Water Corp. to the A1490.410 Public Works grounds maintenance account, the reimbursement check received from the Shelter Island Ambulance Foundation, Inc. in the amount of $7,061.98 to the A4540.485 Ambulance vehicle maintenance account, and the check returned from Pavemint in the amount of $205.00 to the A1010.484 Town Board office and miscellaneous account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 406

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

"Whereas", the Town Board, after consultation with the members of the Deer and Tick Committee, wishes to decrease the size of that committee, now, Therefore

BE IT RESOLVED, That the Deer and Tick Committee shall be reduced to five members; and

BE IT FURTHER RESOLVED, That all committee members shall remain and serve the remainder of their terms; and

BE IT FURTHER RESOLVED, That any new committee members shall be appointed and serve pursuant to the Committee Rules of Procedure.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 407

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

"Whereas", Gregory Martka/Isaac Lustgarten purchased one parking permit for use August 14, 2021 through Labor Day for a fee of $125.00, and

"Whereas", unfortunately, Mr. Martka contracted Covid 19 and was unable to utilize said parking permit and has requested his fee of $125.00 to be returned, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $125.00 to Gregory Martka/Isaac Lustgarten, 201 West 70th Street, Apt. 39H, New York, New York 10023.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 408

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

"Whereas", the Town of Shelter Island issued a request for proposals for consulting engineering services associated with the development of a municipal wastewater treatment system project to be located in the Center of Shelter Island which would serve the following properties: Public Library, Fire Department (Center Firehouse), Youth Center/American Legion Hall, Assessors and Receiver of Taxes building, Town Hall, Building and Engineering Department, Town owned residential housing structure, Police Department, and Justice Court Building, and

"Whereas", bids for said proposals were received from Lombardo Associates and H2M, and

"Whereas", said proposals have been reviewed by the Town Engineer, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island does hereby award the bid for said request for proposals to Lombardo Associates for the bid price of $79,634.00.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 409

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

"Whereas", Stephen Searle/Sylvester Manor Educational Farm, 80 North Ferry Road, received permission to hold a Creekside Concert featuring the band Tuba Skinny, on the Sylvester Manor Grounds on August 7, 2021, and

"Whereas", the required compliance fee of $100.00 was submitted, and

"Whereas", it has been determined that no portion of said fee was utilized, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return said fee of $100.00 to Stephen Searle/Sylvester Manor Educational Farm, Box 2029, Shelter Island, New York 11964.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 410

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

"Whereas", Luckiest Girl Alive LLC/Mike O'Neill, 297 Bond Street, Brooklyn, New York 12231, has filed a filming application to film at North Ferry landing, walkway behind 12 Summerfield Place, and also on North Ferry on Tuesday, August 24, 2021, late morning and afternoon with 80 persons and 16 vehicles, and

"Whereas", said application has been forwarded to the Shelter Island Police Department and the Shelter Island Heights Property Owners Corporation for comments and recommendations, and

"Whereas", the Police Department has responded and stated that they have no issues with the application, and

"Whereas", the Shelter Island Heights Property Owners Corporation has responded and has approved a letter agreement approving of same, now, Therefore

BE IT RESOLVED, That the Town Board does hereby approve said filming subject to the provision of the following fees:

Major filming fee	$1,500.00
Major filming daily fee ($2,000.00 per day for 1 day)	$2,000.00
Clean up deposit fee	$1,000.00.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 411

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

"Whereas", Stephen Searl/Sylvester Manor Educational Farm, 80 North Ferry Road, Shelter Island, New York, has filed an application for an Outdoor Assembly Permit to hold a cocktail party fundraiser for the Historic Windmill Restoration project to be held on August 28, 2021 from 5 to 7 p. m. for approximately 150 attendees and approximately 60 vehicles, and

"Whereas", said application has been forwarded to the Shelter Island Police Department and the Shelter Island Highway Department for recommendations, and

"Whereas", the Police Department has responded as follows: based on the information provided in said application, there is no anticipated need for police services and if the applicant will be serving beer or wine and the party is open to the public, they are required to have a NYS liquor license and said license should be forwarded to the Police Department prior to the event date, and

"Whereas", the Highway Department has not responded, now, Therefore

BE IT RESOLVED, That said request is hereby granted.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 412

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

"Whereas", Town Code Section 92-6 provides 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" is exempted from the constraints of the Noise Ordinance; and

"Whereas", the Town Board wishes to ensure that, in order to qualify for this exception, the true purpose of the event is consistent with the statute; now, Therefore

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 10th day of September, 2021, 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 CLARIFICATION OF CHARITABLE NOISE EXCEPTIONS, to wit:

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

Section 1. Section 92-6A is hereby amended to read as follows:

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. Any event on public or private property, including any business property that seeks an exception from this Chapter must obtain Town Board approval for such exception prior to the beginning of the event. Each charitable event shall require a separate approval. In order to qualify for the exception, the charity must be a registered tax exempt corporation, a New York State Registered Charity or a municipal corporation or department, and the principal purpose of the event must be support of the charity. The event must raise at least one thousand dollars ($1,000) for the named charity.

Section 2. 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. 413

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

"Whereas", Leon, 29 West Neck Road, Shelter Island, NY, has filed an application for a special permit for the conversion of an existing retail bank building to restaurant use, new parking area, exterior lighting, landscaping, sanitary system, and site drainage, 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 10th day of September, 2021, for all interested persons to be heard in favor of or in opposition to said special permit application.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 414

Councilman Dickson 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 4:44 p.m., prevailing time, on the 10th day of September, 2021, 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 ALTER ZONING CODE, to wit:

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

SECTION 1. §133-34. Application and public hearing procedures for variances and special permits, is hereby amended as follows:

The first sentence of §133-34 C of the Shelter Island Town Code shall be amended to read as follows:

In addition, at least 30 days prior to any hearing before the Zoning Board of Appeals or 10 days prior to the hearing before any other board, the applicant shall mail notice of the time, date, place and nature of the hearing to the owners of record of every property which abuts and every property which is within 200 feet of the property involved in the application.

The third sentence of §133-34 D of the Shelter Island Town Code shall be amended to read as follows:

The sign(s) shall be displayed for not less than 30 days immediately preceding the public hearing if before the Zoning Board of Appeals or 10 days if before any other board.

SECTION 2. 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. 415

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

"Whereas", the Police Department has received funds from Suffolk County in the amount of $600.00 for auctioned vehicles, and

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

BE IT RESOLVED, That the following 2021 budget modifications are hereby approved:

$600.00 increase to the A1521 Police Towing & Storage Fees revenue account, to be funded by said unanticipated revenue; and

$600.00 increase to the A3120.457 Police Department towing account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 416

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

BE IT RESOLVED, That $27,108.17 in Taylor's Island funds are hereby transferred from the General Fund to the Taylor's Island Dime account.

Vote: 4 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 Dickson, to wit:

BE IT RESOLVED, That the following 2021 budget transfers are hereby approved:
$3,000.00 from the A3120.484 Police Department office and miscellaneous account to the A3120.483 Police Department telephones account;
$800.00 from the A5010.440 Superintendent of Highways training account to the A5010.400 Superintendent of Highways office and miscellaneous account;
$250.00 from the A8140.480 Community Housing Board consulting account to the A8140.490 Community Housing Board legal services; and
$125.00 from the A8160.488 Landfill high visibility clothing account to the A8160.497 Landfill professional services account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 418

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

BE IT RESOLVED, That 2021 general claims numbered 1247 through 1367 in the amount of $184,186.18, 2021 Community Preservation Fund claim number 17 in the amount of $3,900.00, 2021 highway claims numbered 149 through 166 in the amount of $9,766.43, and 2021 West Neck Water claims numbered 34 through 35 in the amount of $1,692.98 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.

At 4:46 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Ram's Head Inn, LLC, Aandrea Carter, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07961° north and longitude 72.29765° west, formerly occupied by the J & L Eklund C-1107 mooring.

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

Correspondence included the following: (for all eight applications)

1. A letter from Kim Bonstrom suggesting the Town Board reject the applications of the Ram's Head Inn LLC for a transfer or issuance of 8 commercial moorings.
2. A letter from Pam Demarest stating many reasons why these permits should not be issued.

The Supervisor explained that we have eight applications and have to have eight public hearings, but all the discussion will be in the beginning.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: it was at the July meeting and there was a lot of time spent discussing this particular item and I believe Mr. Eklund recused himself from the discussion totally and after much discussion, it was the feeling of the WMAC that all eight moorings were assets considered as part of the Ram's Head transaction when they bought the Ram's Head Inn, those eight moorings were treated the way the Eklunds had treated them and used accordingly that they didn't have a problem with that and they approved all eight of them.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: my name is Kim Bonstrom, I think you have the letter I sent this morning; yes; I guess the first comment I have is Mr. Colligan's suggestion that these moorings were assets that went with the sale, your mooring law says otherwise, that it has to be done by application and it has to be considered separate from the sale of the property; they're applying for the moorings; so what we're suggesting, what I'm suggesting is that this matter should be delayed until there's a decision made on the dock which has been __ before various Town Boards were for thirteen years and there have been recent meetings again this year with further submissions to the Town Board about the dock and essentially the two issues are in ___ and that's because the way the Code is written, on page three of my letter you see the reference to the dock law and dock law 53-5 provides that a dock utilized for commercial purposes shall be in B zone or be part of a marina or a commercial boatyard, the Ram's Head Inn dock is in a double A residential zone, the Ram's

Head Inn is not a commercial boatyard and it is not a marina, the other issue pertains to the mooring law and the mooring law has, pertains to the mooring law and the mooring law has __ purpose which is that moorings of Shelter Island are only permitted for residents and this gets into a definition of what a resident is and it's my position that the expansion of non-conforming uses is that the past weekend we had a rum party at the Ram's Head Inn that attracted of upwards of a hundred people, there were thirty cars parked alongside the road at the Ram's Head Inn and the police didn't enforce the noise ordinance, they didn't enforce the parking and there was a representation made that the event was for a charitable purpose which was accepted by the Police Department without asking what the charity was, whether a permit was granted for that purpose and it's another example of the expansion of a non-conforming use, that's all I have unless there are any questions; anybody else, Bob, no; hi, I'm Aandrea Carter, I'm the owner of the, I'm the managing member and the sole member of the entity that owns Ram's Head Inn, I'm here today to ask that you approve this mooring law transfer, it's not an expansion of the property, the Ram's Head Inn has had the eight mooring balls for over a decade, I don't know how many years, I'm not asking for anything new or larger or an expansion of any kind, just a transfer and I'd be happy to answer any questions you have; thank you; anybody on Zoom, Julia Brennan, that's mine, no thank you; I just want to clarify my thing with the Ram's Head Inn LLC, I actually have the July minutes in front of me here, I'm looking at the July minutes, Chairman Needham summarized this, that this proposal is accompanied by a launch service and a dock that has been an issue and his view of the dock is not part of the mooring transfer, members Anglin and Loreto agreed, member Wein suggested to look at the proposed all together and asked for Councilman Colligan's opinion, I didn't give much of an opinion cause it can be seen in both ways, member Zinger is concerned about the expansion of a non-conforming entity, member Anglin stated that the property is waterfront and that the water access cannot be restricted, we also wouldn't like to see this mooring transfer being tied to the dock issue that may or may not be resolved in a year, two or three, the Town shouldn't prevent the usage of the moorings that were tied to the Ram's Head Inn entity, utilization of the moorings should be allowed to continue, these are their words, not my words, the vote by the way, the WMAC voted solely on the transfer of the moorings, the dock and the launch service was not part of the vote consideration, I want to be clear on that residency is determined by the ownership, if someone owns the property, he is considered a resident and is entitled to the residency parking permit, that's taken out of the minutes from the second of July; the second note that I could comment on is the question of being in a B zone, this is a pre-existing, non-conforming business that was there before B zone was in place so I think that covers that one, I have a letter from Pam Demarest and she had some concerns about that we didn't meet the criteria for the commercial mooring applications and out of eleven, I see two we don't meet, the presence of a dinghy dock and/or the availability of a launch service, the launch service is available and the dock is under question and we will be addressing that, we'll be addressing that shortly and whatever action we take will be in place before next season, so that addresses that one, and the other one is Town landings or private residents should not be used as access, that's the same thing, so they're both related to the dock really, it does have adequate parking, it does have availability of restrooms and I'm not sure about shower facilities, the availability of receptacles, it does, the availability of a pumpout station, there is a pumpout in Coecles Harbor, same as there is in Dering Harbor for the commercial moorings there, availability of a fuel spill response __, proximity of waterfront facilities for the proposed mooring, impact on of mooring on the safety of public, condition of a marina, availability of mooring space as it may exist in that location ____, so again it meets everything, the only questionable one is the dock and we're working on that; I would feel more comfortable cause there are many issues here, the dock being one, the moorings, the taxi service, etc., use, I think I would rather than take up the moorings individually, I would rather we looked at everything as a whole and move forward with a resolution for everything rather than take them individually; I don't know if we can do that, I understand the concept but I don't think we can do that; you'll still have to vote individually on the moorings; you're talking about the concept; think about it wholelistically; right; but you can't structure it that way; right and so the biggest concern is access to the moorings or the dock, whichever; I just think we're taking things individually, I understand that the Ram's Head wants to move forward with the purchase but there are ramifications, everything touches itself, the dock touches the water taxi service, the ___, they're all connected, the expansion of use if it exists, I don't know if we could take one individually and deal with it, I would rather take everything and look at it overall in an overview and deal with them all, not as individually but as one; I think for today, and note to Bob was whether or not; emergency ___; probably a weather alert, there's a storm coming; we'll discuss that at the end; but my question to Bob was whether or not we close the hearing or recess it, so we should close that and I would like to discuss it at the next work session ___ , Bob be ready on Tuesday to advise; what you're saying is you want to close the hearing but not act on them; correct; alright we're not gonna close the hearings, so keep talking, Kim__; yeah, could you; please

come up to the mic; could you clarify that the B zone which you indicated that was as you indicated a pre-existing no-conforming use; yes; when was the B zone, when was that part of the statute enacted; 1956, '57, somewhere in there; okay, the Eklund's moorings didn't go in until late seventies; the business did, you said it's not a business, the moorings are not applicable to a, are only applicable to a business zone and my response was, in theory it is a business zone __ , it's not a zone but it's pre-existing, non-conforming so that didn't apply; no but the business is separate from the moorings, the moorings went in let's say, in the late seventies, the dock went in in the late seventies, the B zone requirement that the commercial docks be in a B zone, that dates back to the fifties so I don't understand the suggestion that they're pre-existing, non-conforming use, that's just ___; well we'll talk about it Tuesday in depth, again my feeling is that the moorings were put in place because there was a business and they were given commercial, a commercial field so I'm not the lawyer here Bob, I don't know; well one of the things that can happen is, it's not set up that well in the Code, is what the exact definition is of a commercial mooring or a commercial dock, the definitions probably need some discussion; the issue is the dock, the B zone says that you can't service moorings from a dock that's in a double A residential zone, there's no pre-existing, non-conforming protection on this; okay, thank you; thank you; hi; the eight mooring balls are a substantial piece of our opportunity for business to factor into about a third if not more of the diners that come for lunch and dinner in many cases the first time in many years people have visited and in other cases first time people ___ come at all, so there's a very serious matter of __, I just, and the idea that I have a water taxi, the inappropriate ___, I bought the water launch from Kenny from Sag Harbor, he did use it as a taxi, I use it as a launch, it physically doesn't travel faster than nine miles an hour, I believe it's seven is how it travels so it can't go really far, it can make it to mooring balls but the reason I specifically bought that launch is because it's Coast Guard approved and Coast Guard __, it has two very special things unlike a rubber dinghy which is continually sinking because it's dropping air, it has a continual system which __ out the water so it cannot sink, the second thing that is special about is it has a fire suppression system, both of those things have got to be rated and approved by the Coast Guard and checked annually so I didn't put a rubber dinghy out there to pick up folks at a mooring ball, I had a __ commercial piece of Coast Guard approved equipment to make sure people are safe, the most important thing about this particular boat however is that it goes from the mooring ball and it's designed, a Chris Craft, to go up on the sand so I can deliver people to the sand as it does often times so I understand you want to look at all these on a whole, I sure hope that you'll reconsider my mooring ball application today as a vital part of our business and we have not expanded the business in any way, the Eklunds had a Boston Whaler servicing the mooring balls and I have a little robust ___, anyway I thank you very much; okay; I've lived across the street from the Ram's Head Inn for twenty-three years, the Eklunds never had a Boston Whaler servicing their moorings, the second thing is that the water taxi has been taking people as far as Coecles Harbor Marina, in fact the Bay Constable got called out because the people on the water taxi panicked because they were sinking, those people had their boat at the Coecles Harbor Marina so it's not just servicing the eight moorings, it's going far afield, that's how they are advertising it in the cruising books and finally you know, these folks come in, their cruising books and finally you know these folks that come in here cruising, they all have zodiacs, they can all go to the beach by themselves, they don't need a water taxi, the Eklunds never had a water taxi, thank you; Jim; yeah I would like to, if after thinking this thing through, I would like to discuss it on Tuesday, I would initially __ the moorings, there's a lot of good points that have been made, I personally would like to work with the new business with the idea that we're all in the same room here and we can all agree upon one thing, that we're at the tail end of summer you know and business is very new under new ownership, I'd like to be able to continue to allow that one aspect of it, just to allow the shuttle between the eight moorings and the dock, that's it, I don't want to see expanded use of it but I do think it counts for a major part of the restaurant cause it is a way for people to get to the restaurant who live off Island to come by boat, I don't want to see cruise services, I don't want to see an expanded use of it, I also think that Mr. Dickson brings up a good point, Tuesday is just around the corner, I've been in contact with plan a and plan b, and plan a, obviously maintaining the dock on Town property and agreeing to certain limitations and restrictions, plan b was something the Town Board is more and more starting to favor about taking the dock down and allowing you to put in paperwork for a new dock on your property that mimics very similar to what you have now with certain restrictions that would be placed on that dock, I haven't heard back from anybody on that, I personally think the longer this goes and if you allow this to go on for years and years and go to court and everything else, we never ever will have closer on this, I think reasonable people should sit in a room and come up with reasonable solutions, they're a problem, I think the major fear or concern, I won't say fear, concern, people who live there, is about traumatic changes in the use of those eight commercial moorings and the dock, I think if we can assure them by practice, that they're gonna conform to the way it was used by the

Eklunds or very similar to that, that that would allow a lot of this to go by the wayside, that's just my feeling, I think that this could be kicked around and around forever, a lot of hard feelings, a lot of money spent that didn't need to be spent, the major thing is building up trust with people that live on that island and I think parking is an issue, that the Supervisor has discussed, it's another thing that's intertwined with all of this, and when you have a large function, having all these cars parked along this street, it is not necessarily good for safety, a lot of these cars are backing out, I'm not saying that anybody is drunk but people have had a couple of alcoholic beverages, there's a possibility there could be an accident so I think that the fact that the Town is and the Ram Island Association and the business, the three of us need to all be reasonable, we all need to work together, we all need to compromise and we can come up with a solution; Pam; hi there folks, my concern is that what Kim just said true because the Eklunds never ran a launch system from that dock, that Boston Whaler was only owned by a fellow who has a mooring in that harbor and the Eklunds let him use the dock and keep it there, the launch that is operating now is beyond the mooring field as well as the zodiac that the __ is operating, picking up people, following the moorings, taking them for cruises around the harbor, you have to understand this is right in my front yard, I see everything that's happening and I'm concerned about _ living on that boat, I put that in my letter, someone living on __ on one of the moorings since 4th of July weekend, nothing has been done, that was no permit applied for running this launch, I appreciate the fact that this vessel is Coast Guard compliant but there was never a permit issued for that launch and I really, Kim as well, the dock issue, I followed along with the moorings and I am not interested in keeping Ms. Carter from being able to use these moorings, I am suggesting that, cause the Code is so specific that it says moorings are for Shelter Island residents, I think it's up to the Town Board to find a way and put in some verbiage to allow the Ram's Head Inn, LLC, to be able to use those moorings according to a new type of statute in the Code and perhaps make it go with a covenant with the property in perpetuity so that these issues won't ever arise again but she is not a resident and the Code does not allow for non-residents to go on moorings and to set the new criteria for the new permits on commercial moorings, I have to disagree, I think that they don't satisfy fifty percent of this criteria, there are no showers there, there's no restrooms there, there's no parking there, there's no pumpout station right at the dock, there's nothing at the beach there so I have to disagree that there's no criteria for a permit; I think they're __ the criteria the same as the other commercial mooring fields are; which other commercial moorings are there; the other commercial moorings are in boatyards and marinas, this isn't a mooring field; Dering Harbor's mooring field, commercial mooring fields are similar in the aspect that they you have to, we'll discuss this in depth on Tuesday; yeah; I don't know that we should compare it to Dering Harbor; we have nothing other to compare it to other than the Coecles Harbor Marina so we have to discuss it with Dering Harbor; no, I'm saying Dering Harbor and I'm saying Dering Harbor, we only have four commercial mooring fields on Shelter Island, we have Coecles Harbor Marina, we have the Ram's Head Inn, we have the Yacht Club and we have, actually five, we have Jack's Marine and we have Piccozzi's, three of the commercial mooring fields are in Dering Harbor so we have to include them in the discussion; and can you tell me how the Eklund's moorings got rated as commercial moorings, I mean that's the name of the business, they're not, they also are not in the name of an individual which you know, came up about two months ago in a meeting about this, they don't have LLCs any more and they don't know how many people actually own, it came up about two months ago about this, with LLCs owning a mooring and they don't know and we don't have the information, and this goes very cheap and I understand it and I hope you take everything into consideration and understand that this is not against Ms. Carter on getting use of those moorings, it's about Town Code and enforcing Town Code and cleaning up the loopholes and getting things in order, once and for all, I mean this has been going on for decades and decades about the Town dock; point well said, we know that no one is disputing that, it's just enough of that; right and the Town Board fully agrees with that and the dock issue will be addressed before year's end in time for the new dock has to go in in plenty of time for the new dock to go in, the dock issue will be addressed shortly, the, all these points that are brought up we will discuss Tuesday and it just goes back to reaffirm what I've been saying at every meeting is that we have to review almost all of our Town Codes because that's the way we have always done things in the past on Shelter Island but it's got a lot more sophisticated here that people say here that it doesn't matter how you've done it for the last fifty years, this is what the Code says so we're trying to address all these issues in the Code; and the WMAC recognized the fact that there are a lot of inconsistencies and that's why they have dedicated the fall and winter of 2021 - 2022 as reviewing that part of the Town Code but I think it's gonna be a high priority for the WMAC because there are a lot of inconsistencies within the Town Code; and I think you should suspend her application until this is straightened out; I'm not in favor of that; no, again, I go back to what I said before, I'm an advocate of using this and bringing all the parties in and sitting down and negotiating with everybody and have a clear understanding of what's gonna be acceptable and

not acceptable as we move forward and I think we can do it, I think you could do it in an hour, the problem is once you go the legal route and you start challenging one another, everybody digs their heels in and tries to you know, fight for every little point and again life is a series of compromises, I think we need to be reasonable, I think there's a lot of concerns of the people that live in that area, they need to be heard, we have a new business, obviously we were accused of a lot as a Town Board of not supporting local businesses enough and you know it's something that we can work out, let's give that a chance; okay so this will be the topic of discussion for Tuesday's work session and rather than close this Dot, we're gonna recess this but we have to be able to reconvene.

The Supervisor declared the public hearing to be recessed at 5:20 p. m. and called to order the public hearing to be held as advertised on the application of Rick Radigan, 5 Community Drive, for permission to install a mooring in West Neck Bay, at a location designated as latitude 41.03966° north and longitude 72.21813° west.

The Town 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 met on August 2nd, the Radigan mooring application was voted on five zero zero with the adjusted coordinates and those new coordinates were just read for you, did you write those down; I did; those were approved unanimously.

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 5:21 p. m. and called to order the public hearing to be held as advertised on the application of Richard Tarlow 2011 Trust, 25 Nostrand Parkway, for permission to remove existing plus or minus 9 linear feet of wood bulkhead return, and construct new plus or minus 16 linear foot return along property line, beginning at landward end of existing concrete seawall return.

The Town 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: Dottie sent it out to the Town Board but we never got it so it was never an agenda item at the August meeting, it's gonna be a no brainer, I don't think it's a big thing, they're going from nine to sixteen feet, I don't see that as being a big issue, we'll put that on for the September meeting; so we're gonna hold on that; yeah we have to, we haven't discussed it.

The Supervisor declared the public hearing recessed at 5:22 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 419

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

"Whereas", Rick Radigan, 5 Community Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay, at a location designated as latitude 41.03966° north and longitude 72.21813° west, and

"Whereas", a public hearing was duly held on the 20th day of August, 2021, 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 installation of a mooring in West Neck Bay at a location designated as latitude 41.066160° north and longitude 72.363864° west.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:25 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

September 10, 2021

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 September, 2021, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, and approximately thirteen 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 LOCAL DECLARATION OF A STATE OF EMERGENCY declared by Supervisor Gerard Siller concerning Hurricane Henri commencing August 22, 2021 at 6:00 a.m. pursuant to Section 24 of Article 2-b of the Executive Law, to take effect immediately and to remain in effect for five days unless it is terminated at an earlier date
2. A TERMINATION OF STATE OF EMERGENCY declared by Supervisor Gerard Siller stating a termination to the State of Emergency within the Town of Shelter Island, originally issued on August 21, 2021 pursuant to Section 24 of Article 2-b of the Executive Law as of August 22, 2021, at 1:00 p. m.
3. An e-mail from Melanie Coronetz concerning early morning noise created by houses under construction.
4. An e-mail from Tim Sheehan applying for a position on the WQIAB.
5. An e-mail from Danielle Schultz requesting to reach out to the Town Board to possibly get taxpayers to sign up for solar energy.
6. An e-mail from Chris Tehan suggesting certain amendments for changes to the Town Code.
7. A letter from Carla Rykowski requesting she be considered to be a member of the Zoning Board of Appeals.
8. A resume from Helen Rosenblum for consideration for ZBA membership.
9. An application and resume from Richard Denning for membership on the Conservation Advisory Board.

The Supervisor presented the following financial report for the month of July 2021.

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
JULY 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	7,971,371.90	789,985.59	981,672.96	7,779,684.53	810,018.66
Hwy Checking	2,122,376.66	23,296.28	97,317.79	2,048,355.15	
T&AChecking	176,156.29	57,970.14	59,280.82	174,845.61	10,518.34
T&A Savings	12,239.77	0.30		12,240.07	
Hwy Cap Res	399,468.13	9.85		399,477.98	
WNW Supply	15,917.24	12,684.95	23,176.03	5,426.16	134,280.41
Taylor's Island	44,125.93	0.37		44,126.30	
Comm Preser	4,756,657.46	721,299.11	749.10	5,477,207.47	5,905,466.28
Waterways	159,175.66	6,907.50	3,500.00	162,583.16	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,409.94
Environmental	0.00	0.00	0.00	0.00	5,680.13
FIT Ctr Reser	20,045.25			20,045.25	
Ambul Reserv	241,479.11	2.02		241,481.13	
Ambul Train	24,483.37	0.60		24,483.97	
TOTALS	18,230,098.18	1,612,156.71	1,165,696.70	18,676,558.19	7,237,373.76

RESOLUTION NO. 420

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

"Whereas", Stephen and Mimi Houston, have petitioned the Town of Shelter Island for permission to remove and dispose of existing 6 ' by 20" floating dock, and construct new 6' by 32' floating dock in-kind, in-place, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time,

on the 1st day of October, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 421

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

"Whereas", Ram's Head Inn, LLC, 108 Ram Island Drive, has petitioned the Town of Shelter Island for permission to construct a 10' by 10' access platform leading to a 5' by 50' fixed ramp down to a 5' x 40' fixed dock; install a 4' by 16' ramp leading to an 8' by 40' float with an 8' x 40' "L" section in Coecles Harbor, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 1st day of October, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 4 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 Councilman Dickson, to wit:

"Whereas", South Ferry, Inc., has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Harbor at a location designated as latitude 41.02404° north and longitude 72.20506° west, and if said mooring site is approved, applicant will relinquish the two mooring sites in West Neck Bay, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on the 1st day of October, 2021, 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. 423

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

BE IT RESOLVED, That Alex Binder is hereby appointed to serve as FIT Aide for the year 2021 at the rate of $17.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 424

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

"Whereas", a vacancy exists on the West Neck Water District Board of Directors, and

"Whereas", the Town Board has advertised for and interviewed an applicant, now, Therefore

BE IT RESOLVED, That Donna Cyrus is hereby appointed to serve as a member of the West Neck Water District Board of Directors for a term to expire on April 25, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 425

Supervisor Siller 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 $1,262.50 from the 2021 A1620.476 Buildings computer services account to East End Computers LLC, 26 Hill Street, # 265, Southampton, New York 11968 for Security awareness training subscription (07/01/2021 - 06/30/2022).

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 426

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

BE IT RESOLVED, That a special meeting of the Town Board of the Town of Shelter Island will be held at 1 p. m., prevailing time, on the 5th day of October, 2021, in the Shelter Island Town Hall, Shelter Island, New York, for budget purposes.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 427

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

"Whereas", the Town Board approved a permit for the Chamber of Commerce Art Show and Craft Fair on August 21, 2021, and

"Whereas", the Chamber of Commerce paid a compliance fee of $100.00, and

"Whereas", no fees were required for said event, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit of $100.00 to the Shelter Island Chamber of Commerce, P. O. Box 919, Shelter Island, New York 11964.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 428

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

"Whereas", the Town Board approved a permit for Stephen Searl/Sylvester Manor Educational Farm, 80 North Ferry Road, Shelter Island, New York, for an Outdoor Assembly Permit to hold a cocktail party fundraiser for the Historic Windmill Restoration project to be held on August 28, 2021 from 5 to 7 p. m. for approximately 150 attendees and approximately 60 vehicles, and

"Whereas", a compliance fee of $100.00 was submitted, and

"Whereas", no fees were required for said event, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit of $100.00 to Stephen Searl/Sylvester Manor Educational Farm, 80 North Ferry Road, P. O. Box 2029, Shelter Island, New York 11964.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 429

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

BE IT RESOLVED, That Mary-Faith Westervelt, Justice of the Town of Shelter Island, is hereby authorized and directed to file an application for funds from the State of New York Unified Court System under its Justice Court 2021 Assistance Program, in an amount not to exceed $30,000.00, and upon approval of said request, to enter into and execute a project agreement with the State for improvements to the court facility.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 430

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

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized to pursue separate, sealed proposals for the disposal of municipal solid waste, for equipment to be used for such disposal of MSW and tires generated in the Town of Shelter Island, and requests for proposals for precast for road drainage.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 431

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

BE IT RESOLVED, That the fee for a Home Improvement Contractor's License is hereby set at $250 per year, and

BE IT FURTHER RESOLVED, That this rate shall go into effect as of November 1, 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 432

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $3,889.79 from the Police Department 2021 A3120.491 contracts account to Air and Noise Pollution Training Program, Attn: Registration Dept. OCPE, 102 Ryders Lane, New Brunswick, NJ 08901-8519 for the SPRING 2021 off-site noise 24 May 2021 Shelter Island NY total course fee.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 433

Supervisor Siller 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 $2,500.00 from the 2021 A3120.491 Police Department contracts account to All Traffic Solutions, Inc., 14201 Sullyfield Cr., Suite 300, Chantilly, VA 20151 for the Police Department mobile traffic sign reporting, alerts and mapping.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 434

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,500.00 from the 2021 A1620.483 buildings telephone account to Telenet NY, Inc., 115 North Richmond Avenue, Suite 1, Massapequa, New York 11758-3439, for the service contract for the telephone system, covering July 1, 2021 through September 30, 2021, and October 1, 2021 through December 31, 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 435

Councilman Dickson offered the following resolution, which was seconded by Councilman Colligan, 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, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 436

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

"Whereas", Wellington Denahan, 10 Lari Lane, has requested permission to replace all dock planks on her existing dock in Coecles Harbor, and

"Whereas", the Waterways Committee of the Town Board has approved of said repair, now, Therefore

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 437

Supervisor Siller 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 4:46 p. m., prevailing time, on the 1st day of October, 2021, 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 REVISE SEPTIC REQUIREMENTS, to wit:

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

Section 1. Purpose

The Town of Shelter Island wishes to preserve the health and safety of its citizens and guests and to take those steps that are necessary to ensure that the Island's water supply is protected for this and future generations.

Section 2. Amendment

Chapter 43 of the Town Code of the Town of Shelter Island is amended in that §43-10.4. I/A OWTS Required, shall be repealed and replaced as follows:

§43-10.4. I/A OWTS Required

A. An Innovative and Alternative On-site Water Treatment System (I/A OWTS) approved by the Suffolk County Department of Health Services shall be required for the following projects located within the Town of Shelter Island.

(1) All residential construction on previously undeveloped land; or

(2) All residential reconstruction following demolition down to the foundation regardless of whether the building is replaced in the same "footprint"; or

(3) Any septic system upgrade or replacement required by the Suffolk County Department of Health Services; or

(4) Any emergency replacement or upon septic system failure.

The requirement to install an Innovative and Alternative On-site Water Treatment System shall make the owner of such property ineligible to obtain a water quality improvement grant unless:

(1) The installation is due to a system failure emergency; or

(2) The proposed construction is for a primary structure totaling less than 1500 SFLA; or

(3) The owner is found by the Town Board to have an economic or situational hardship; or

(4) The totality of the circumstances surrounding the grant application indicate a substantial public benefit will result from funding the project as determined by the Town Board.

B. Applicants that have a complete application pending review before the Shelter Island Building Department or the Suffolk County Department of Health Services as verified by those departments prior to October 1, 2021 shall not have to comply with the requirements herein.

Section 3. Severability

If any provision of this chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this chapter.

Section 4. SEQRA

This Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this action will not result in a significant adverse impact on the environment as the principal purpose herein is to ensure clean water.

Section 5. Effective Date

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

Vote: 3 in favor 1 opposed (Councilman Dickson opposed)

The resolution was thereupon declared duly adopted

RESOLUTION NO. 438

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

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:48 p. m., prevailing time, on the 1st day of October, 2021 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 REVISE TOWN CODE RE HOME IMPROVEMENT CONTRACTORS, to wit:

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

SECTION 1. Amendment

Chapter 79 of the Town Code is hereby repealed and replaced as follows:

ARTICLE 1

§ 79-1. Title

This section shall be titled Home Improvement Contractors.

§ 79-2. Purpose

It is the intent of this section to establish licensing and standards for home improvement contractors in the Town of Shelter Island.

§ 79-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BUILDING INSPECTOR

The Building and Zoning Administrator of the Town of Shelter Island or any duly appointed Building Inspector or code enforcement officer of the Town of Shelter Island.

BUSINESS

Includes occupation, profession, trade, craft or any other calling for hire.

CONSUMER

An individual who buys or leases or agrees to buy or lease consumer goods or services or credit, including a co-guarantor or surety.

CONTRACT

An oral or written agreement contained in one or more documents for the performance of work and includes all labor, goods and services.

ENGAGES

The undertaking, offering to undertake, solicitation or agreement to perform a contract.

HOME IMPROVEMENT (PER NY Business Law Article 36-A Section 770 (3))

The repairing, remodeling, altering, converting, or modernizing of, or adding to, residential property and shall include, but not be limited to, the construction, erection, replacement, or improvement of driveways, swimming pools, siding, insulation, roofing, windows, terraces, patios, landscaping, fences, porches, garages, solar energy systems, flooring, basements, and other improvements of the residential property and all structures or land adjacent to it. "Home improvement" shall also mean the construction of a custom home, the installation of home improvement goods, the furnishing of home improvement services or the provision of landscaping services. "Home improvement" shall not include:

A. The sale or construction of a new home, other than a custom home as defined in this section;
B. The sale of goods by a seller who neither arranges to perform nor performs, directly or indirectly, any work or labor in connection with the installation or application of the goods;
C. The sale or installation of appliances, such as stoves, refrigerators, freezers, room air conditioners, dishwashers, clothes washers or dryers, which are designed to be removable from the premises without material alteration thereof;
D. The sale or installation of decorative goods or services, such as draperies and carpets; or
E. The performance of repairs, replacements, or other services pursuant to an express or implied warranty, or a maintenance agreement as defined in section three hundred ninety-five-a of this chapter.
F. An owner that performs his or her own home improvement work.

HOME IMPROVEMENT CONTRACT (PER NY Business Law Article 36-A Section 770 (6))

An oral or written agreement for the performance of home improvement, between a home improvement contractor and an owner, and where the aggregate contract price specified in one or more home improvement contracts, including all labor, services and materials to be furnished by the home improvement contractor, exceeds five hundred dollars.

HOME IMPROVEMENT CONTRACTOR (PER NY Business Law Article 36-A Section 770 (5))

A person, firm or corporation which owns or operates a home improvement business or who undertakes, offers to undertake or agrees to perform any home improvement for a fee and for whom the total cash price of all of his home improvement contracts with all his customers exceeds one thousand five hundred dollars during any period of twelve consecutive months. Home improvement contractor does not include a person, firm, corporation, landlord, cooperative corporation, condominium board of managers, joint tenant or co-tenant that owns, in whole or in part, the property to be improved.

LICENSEE

A person permitted to engage in the home improvement business under the provisions of this chapter.

OWNER

Any owner of residential property, tenant or any other person who orders, contracts for or purchases the services of a home improvement contractor, or the person entitled to performance of the work of a home improvement contractor pursuant to a home improvement contract.

PERSON (PER in § 37 of the General Construction Law of the State of New York)

An individual, firm, partnership, corporation or other entity.

PLACE OF BUSINESS
Any shop, residence, place or premises from which a home improvement business is transacted.
RESIDENTIAL PROPERTY
Any property used, intended or otherwise appropriate for human habitation.
§ 79-5. License required.
No person shall conduct or engage in any home improvement business without first obtaining and maintaining in effect at all times a license therefor from the Building Inspector, as hereinafter provided.
§ 79-6. Exceptions.
No license shall be required under this chapter in the following instances:
A. An individual who performs labor or services for a home improvement contractor licensed under this chapter for wages or salary.
B. A member or partner of a firm, partnership or other entity which is a licensed home improvement contractor under this chapter, who performs labor or services for such licensed home improvement contractor.
C. A stockholder or officer of a corporation which is a home improvement contractor licensed under this chapter, who performs labor or services for such licensed home improvement contractor.
D. A plumber, electrician, architect, professional engineer or any other person who is required by state or Town law to attain standards of competency or experience as a prerequisite to engaging in such craft or profession and who is acting exclusively within the scope of the craft or profession for which he is currently licensed.
E. Any home improvement where the aggregate contract price for all labor, materials and other items is less than $500. This exclusion does not apply where the work is only part of a larger or major operation, whether undertaken by the same or different home improvement contractor, or in which a division of the operation is made in contracts of amounts less than $500 for the purpose of evasion of this chapter or otherwise.
F. Employees of any federal, state or local government, or any agencies thereof, or of a state or local authority, as that term is defined in §2 of the New York Public Authorities Law and specifically to include the Shelter Island Highway Department and Department of Public Works, provided that such employees are performing the work on behalf of a government entity or public authority. This exemption shall not apply to any work performed by a person, as that term is defined in this article, who is not an employee of any federal, state or local government or any agencies thereof or of a public authority even if such work is performed on behalf of or pursuant to an agreement with a governmental entity or public authority. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. IV).
G. Employees of and on behalf of any gas or electric corporation, waterworks corporation or telegraph and telephone corporation, provided that such employees are performing the work on behalf of a gas or electric corporation, waterworks corporation or telegraph and telephone corporation. This exemption shall not apply to any work performed by a person, as that term is defined in this article, who is not an employee of a gas or electric corporation, waterworks corporation or telegraph or telephone corporation, even if such work is performed on behalf of or pursuant to an agreement with a gas or electric corporation, waterworks corporation or telegraph and telephone corporation.
H. Maintenance work by bona fide employees in an industrial, commercial, institutional or other such establishment within the building or property limits of the employer unless provided otherwise pursuant to this chapter or regulations promulgated hereunder.
I. An architect, professional engineer or any other person who is required by state or local law to attain standards of competency or experience as a prerequisite to engaging in such profession and who is acting exclusively within the scope of the profession for which he is currently licensed pursuant to such other law. Issuance of a certificate of competency by any other federal, state or municipal agency shall not constitute a license issuance and all such contractors holding such certificates shall be subject to this article.
J. A contractor engaged in the field of home maintenance or decorating.
K. Any retail clerk, clerical, administrative or other employee of a licensed home improvement contractor who transacts business from an establishment.

§ 79-7. Term of licenses
All licenses shall be valid for a period of one year from the date of issuance thereof. Subsequent renewals shall be for periods of one year.
§ 79-8. Renewal

Licenses must be renewed annually at least one month prior to the expiration of the existing license. Upon renewal, an applicant must submit proof that they remain in compliance with requirements of this chapter and that they are not otherwise in violation of any provision herein and that they have completed all required training.

§ 79-9. Application Requirements

A. Applicants for licenses or renewals thereof shall file a digital signed and verified application with the Building Inspector. Where the applicant is a corporation, the application shall be signed and verified by an officer thereof. When the applicant is a firm, partnership or other entity, the application shall be signed and verified by member or partner thereof.

B. Applications shall set forth the following information:

1. The name, trade name and business address of the applicant.
2. If the applicant is an individual, his name and residence address; if the applicant is a corporation, the names and residence addresses of the officers thereof; if the applicant is a firm, partnership or other entity, the names and residence addresses of the members or partners thereof and a copy of the certificate of incorporation.
3. Whether or not there are any outstanding liens or judgments against the applicant.
4. Such other reasonable information as the Building Inspector may deem necessary or advisable to facilitate the purposes of and enforcement of this chapter, including but not limited to the following:
   a) The names and residence addresses of any employees of the applicant.
   b) The names and residence addresses of the stockholders and directors of a corporate applicant.
   c) Whether or not the applicant or any member, partner, officer, stockholder or employee thereof ever engaged in a home improvement business under another name or for another person and, if so, reasonable information with respect thereto.
   d) Information relating to the financial responsibility and character of the applicant
5. A Federal Tax Identification Number or New York State Sales Tax Identification Number, as applicable. If such information is not provided, a license will not be issued.
6. Registration information for each and every vehicle to be utilized in their operations on Shelter Island.

C. All applicants must submit proof of liability insurance with a limit of at least $300,000 naming the Town of Shelter Island as an additional insured.

D. All applicants must submit proof of worker's compensation insurance.

E. Any applicant that will be applying fertilizer pesticides, fungicide, herbicide, rodenticide or any other chemical agent must provide proof of licensing by annually required Federal, State or County agency (FEMA, DEC, DOH etc.) any required training or continuing education including Suffolk County Turf Management training.

§ 79-10. Issuance of license.

After the filing of an application for a license or renewal thereof and payment of the required fee, the Building Inspector shall examine the application and make such investigation as he deems necessary or advisable. Upon completion of same, the Building Inspector shall issue a license unless he finds that the applicant is unfit or undesirable to carry on such home improvement business or is incapable of properly conducting such home improvement business, in which event he shall deny the license.

§ 79-11. Appeal of Denial

A. The Building Inspector shall notify the applicant of his denial of an application for a license. Service of such notice shall be made personally or by certified mail, addressed to the address set forth in the application for a license. Such notice shall be in writing and shall specify the ground or grounds for the denial. The notice shall include or be accompanied by a statement that the applicant may request an appeal hearing before the Town Board by filing a written request therefor with the Town Clerk. The Town Clerk shall give the appealing party at least five days' written notice of the time and place of such hearing.

B. At the time and place set for the hearing upon the appeal from the determination of the Building Inspector, the Town Board shall give the appealing party and any other interested party a reasonable opportunity to be heard in order to show cause before said Board why the determination of the Building Inspector should not be upheld. The decision of the Town Board shall be in writing, shall specify the ground or grounds upon which the decision is based and shall be final and conclusive.

§ 79-12. License Fee.

A. A fee as determined from time to time by Town Board resolution shall be paid to the Town of Shelter Island upon the filing of each application for a license or any annual renewal for the purpose of defraying expenses incidental to the processing of said applications and the enforcement of the provisions of this chapter.

B. Any license issued hereunder shall expire one year after its date of issuance, unless revoked as hereinafter provided.
C. Issuance of a license shall create no presumption that the licensee is in compliance with the provisions of this chapter nor that the licensee is entitled to the license.
D. No license issued under this chapter shall be transferred or assigned to any person or used by any person other than the licensee to whom it was issued.
E. A license issued hereunder may not be construed to authorize the licensee to perform any work or engage in any kind of business which is reserved to qualified licensees under separate provisions of state or Town law.
F. A license issued hereunder shall at all times be posted conspicuously in the place of business of the licensee.
G. Every licensee shall, within 10 days after a change of control in ownership or of management or of address or of trade name, notify the Building Inspector of such change in writing.

§ 79-13. Conditions of License

A. No license issued hereunder shall be assignable or transferable.
B. Failure to make application and pay the required fee for a license renewal prior to the expiration date of said license shall render the license null and void on the expiration date. Compliance with the provisions of this section shall entitle the licensee to the renewal of his license, provided that such license has not been suspended or revoked by the Director prior to the expiration date.
C. The death of an individual who holds a valid license issued pursuant to this chapter shall terminate such license.
D. A license issued pursuant to this chapter shall be conspicuously posted in the place of business of the licensee and upon all vehicles operated by the business.
E. Each licensee shall, within seven business days after a change of address or trade name, notify the Office, in writing, of such change.
F. Licensee must immediately report the Shelter Island Building Department any lapse in insurance coverage.
G. All advertising for home improvement contracting shall contain the license number of the home improvement license issued pursuant to this chapter.
H. Licensees must ensure all vehicles comply with applicable laws and regulations.
I. No licensee shall permit an unlicensed driver to operate any vehicle within the Town of Shelter Island.
J. No licensee shall permit an uninsured vehicle to operate on Shelter Island.
K. All vehicles used by the licensee or its employees must display a sticker with the licensee's license number on the rear bumper.

ARTICLE II – DISCIPLINARY PROCEDURES

§ 79-20. Licensing Review Board.

A. Formation and composition.
   1. There is hereby established in and for the Town of Shelter Island a Licensing Review Board, consisting of either three or five members, as may be determined from time to time by the Town Board, who shall be appointed by the Town Board to serve at the pleasure of the Town Board. In no event shall a member serve for more than two years unless reappointed by the Town Board.
   2. The Town Board shall designate one member of the Licensing Review Board to serve as Chairman thereof.
   3. A majority of the members shall constitute a quorum of the Licensing Review Board.
   4. Members of the Licensing Review Board shall be residents of the Town and shall serve voluntarily without salary or compensation.
   5. At least one member of the Licensing Review Board shall be a home improvement contractor who resides and has his place of business in the Town.
B. Function. It is the function of this Board to hear and determine any complaint or grievance that may be the basis for recommendation to the Town Board for suspension or revocation of a license or that may be the basis for suspension of a license by the Licensing Review Board, upon a finding that the licensee has been guilty of any one of the following:
   1. Fraud, misrepresentation or bribery in securing a license.
   2. The making of any false statement as to a material matter in any application for a license.
   3. The person or the management personnel of the home improvement contractor are untrustworthy or not of good character.
   4. The business transactions of the home improvement contractor have been or are marked by a practice of failure to timely perform or complete its contracts or the manipulations of assets or accounts or by fraud or bad faith or is marked by an unwholesome method or practice of solicitation of business from owners.
   5. Failure to display the license as provided in this chapter.

6. Failure to comply with any demand or requirement lawfully made by the Building Inspector, Licensing Review Board or Town Board.
7. An agent or employee of a licensee has been guilty of an act of omission, fraud, misrepresentation, and the licensee has approved or had knowledge thereof.
8. Violation of any provision of this chapter.
9. Abandonment or willful failure to perform, without justification, any home improvement contract or project engaged in or undertaken by a home improvement contractor; or willful deviation from or disregard of plans or specifications in any material respect without the consent of the owner and, where required, from the Building Inspector.
10. Making a substantial misrepresentation in the solicitation or procurement of a home improvement contract or making any false promise of a character likely to influence or persuade or induce.
11. Any fraud in the execution of, or in the material alteration of, any contract, mortgage, promissory note or other document incident to a home improvement transaction.
12. Preparing or accepting any mortgage, promissory note or other evidence of indebtedness upon the obligations of a home improvement transaction with knowledge that it recites a greater monetary obligation than the agreed consideration for the home improvement work.
13. Directly or indirectly publishing any advertisement relating to home improvements which contains an assertion, representation or statement of which is false, deceptive or misleading, provided that any advertisement which is subject to and complies with the then-existing rules, regulations or guides of the Federal Trade Commission shall not be deemed false, deceptive or misleading; or by any means advertising or purporting to offer the general public any home improvement work with the intent not to accept contracts for the particular work or at the price which is advertised or offered to the public.
14. Willful or deliberate disregard and violation of the building, sanitary, fire and health laws of the Town, county or state.
15. Failure to notify the Building Inspector of any change or control in ownership, management or business name or location.
16. Conducting a home improvement business in any name other than the one in which the home improvement contractor is licensed.

C. Procedure.
1. The Licensing Review Board shall have the right to determine whether or not it will take jurisdiction of any complaint submitted to it. In the event that it shall deny jurisdiction, such determination shall be in writing, and a copy shall be mailed to the complainant.
2. If the Licensing Review Board, upon reasonable cause, should believe that any licensee has violated any of the provisions of this chapter, such Board shall have the power to make such investigation as it shall deem necessary or advisable.
3. There shall be no suspension of a license or recommendation that a license be suspended or revoked until after a hearing had before the Licensing Review Board, upon written notice to the licensee of at least 10 days. Such notice shall specify the time and place of the hearing and the ground or grounds which will be the subject of the hearing, and it shall state that the purpose of the hearing is to determine whether the license should be suspended and whether a recommendation of suspension or revocation should be made to the Town Board. Such notice shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee. The licensee and any other interested party shall be given a reasonable opportunity to be heard. A stenographic record of the hearing may be taken and preserved. The determination or recommendation of the Licensing Review Board shall be in writing and shall specify the ground or grounds upon which it is based.
4. The Licensing Review Board shall maintain records and files of any and all hearings held by it.

D. Powers.
1. The Licensing Review Board shall have the power to suspend a license, for a period not exceeding 30 days, if it determines that the licensee has been guilty of any act or circumstance set forth in this chapter. Any such determination of suspension shall be final and conclusive. Upon making such determination of suspension, such Board shall direct the Building Inspector to notify the licensee that his license is suspended. Such notice shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee, and such licensee shall immediately surrender his license to the Building Inspector.
2. The Licensing Review Board shall have the power to recommend to the Town Board that a license be suspended or revoked by the Town Board.
3. In lieu of a suspension or a recommendation to the Town Board, the Licensing Review Board may accept a written assurance of a compromise between the parties.

§ 79-21. Suspension or revocation of license by Town Board.

A. The Town Board shall have the power to revoke a license if it determines, after a public hearing as hereinafter provided, that the licensee is unfit or undesirable to carry on the home improvement business or is incapable of properly conducting such home improvement business. The Town Board shall have the power to suspend a license if it determines, after a public hearing as hereinafter provided, that the licensee has been guilty of any act or circumstance set forth in of this chapter.

B. Hearing.

1. If the Town Board determines to hold such hearing, it shall notify the licensee that a hearing will be held before the Town Board to determine whether his license should be suspended or revoked. Such notice shall specify the time and place of the hearing and the ground or grounds for suspension or revocation which will be the subject of the hearing. Such notice shall be in writing, shall be served at least 10 days prior to the date of the hearing and shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee.
2. At the time and place set for the hearing, the Town Board shall give the licensee and any other interested party a reasonable opportunity to be heard. The decision of the Town Board shall be in writing, shall specify the ground or grounds upon which the decision is based and shall be final and conclusive.

C. If the Town Board determines that the license of a licensee should be suspended or revoked, the Town Board shall direct the Building Inspector to notify the licensee that his license is suspended or revoked. Such notice shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee. A licensee shall immediately surrender his license to the Building Inspector upon its suspension or revocation by the Town Board.

D. § 79-22. Automatic Suspension

Any licensed issued under this chapter shall be suspended immediately by operation of law and the contractor prohibited from performing any work in the Town of Shelter Island upon notice to the contractor of the lapse, cancellation or any other termination of liability or worker's compensation coverage and such suspension shall remain in effect until such coverage is reinstated.

ARTICLE III – PROHIBITED ACTS

§ 79-30 Prohibited acts.

A. In addition to any prohibitions contained in this article or in any other local law, resolution, or ordinance, the following acts are prohibited:

B. Abandonment or willful failure to perform, without justification, any contract engaged in by a licensee.

C. Willful deviation from or disregard of contract specifications or estimates in any material respect without the consent of the contracting party.

D. Engaging in deceptive or unconscionable trade practices in the solicitation or procurement of a contract, or in the preparation of or performance of a work estimate or invoice, or in the collection of debts incurred for consumer goods and services as defined below:

1. DECEPTIVE TRADE PRACTICES

Any false, falsely disparaging or misleading oral or written statement, visual description, or other representation of any kind, which has the capacity, tendency or effect of deceiving or misleading consumers or the consuming public and is made in connection with a contract, preparation of or performance of a work estimate or invoice, in the extension of consumer credit, or in the collection of consumer debts. Deceptive trade practices include but are not limited to:

a) Representations that:
   i. Goods or services have sponsorship, approval, accessories, characteristics, uses, benefits, or quantities that they do not have.
   ii. The seller has a sponsorship, approval, status, affiliation, or connection that he/she does not have.
   iii. Goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, or secondhand.
   iv. Goods or services are of a particular standard, quality, grade, style, or model, if they are of another.
b) The use, in any oral or written representation, of exaggeration, innuendo or ambiguity as to a material fact.
c) Failure to state a material fact if such failure deceived or tends to deceive.

d) Disparaging the goods, services or business of another by false or misleading representations of material facts.
e) Offering goods or services without intent to sell them.
f) Offering goods or services without intent to supply reasonably expectable public demand, unless the offer disclosed the limitation.
g) Making false or misleading representations of fact concerning the reason for, existence of or amounts of price reductions, or the price in comparison to prices of competitors or one's own price at a past or future time.
h) Falsely stating that a consumer transaction involves consumer rights, remedies or obligations.
i) Falsely stating that services, replacements or repairs are needed.
j) Falsely stating the reasons for offering or supplying goods or services at sale or discount prices.
k) The failure by any person engaged in the delivery, pickup, inspection or repair of consumer goods and/or services in the home to keep an appointment to perform the delivery of consumer goods and/or services on the day agreed upon with the consumer unless the consumer has received written or verbal notice of delay or cancellation before the end of the preceding business day. This provision shall not apply to the sale or delivery of utility services, home improvement contractors working under a contract, requests by consumers for same-day emergency service, cancellations of appointments by the consumer, delays caused by the consumer or failures to keep an appointment caused by strike or natural disaster. If unexpected circumstances, such as a mechanical breakdown, preclude notification by the end of the preceding business day, then no violation shall occur if actual notice is given to the consumer as soon as practicably possible.

2. UNCONSCIONABLE TRADE PRACTICE
Any act or practice which unfairly takes advantage of the lack of knowledge, ability, experience, or capacity of the consumer or which results in a gross disparity between the value received by a consumer and the price paid by the consumer. "Unconscionable trade practice" shall include any acts or practices which unfairly take advantage of a sudden disaster, such as hurricanes, tornadoes, flooding, blizzards, explosions, airplane crashes, earthquakes, nuclear war, radiological emergencies, war, civil unrest or disobedience or acts of God and comparable acts which result in gross disparity between the value received by a consumer and the price ordinarily paid by the consumer in the absence of one of these above occurrences. The existence of such a disaster shall be established, for the purposes of this chapter, by a written declaration by either the County Executive or a majority of the entire membership of the County Legislature. The Director shall initiate investigation of such unconscionable trade practices immediately after any one of the natural disasters or other acts of God described above.

ARTICLE IV- REMEDIES

§ 79-40. Penalties for offenses.

A. Any person who shall conduct or engage in any home improvement business without having obtained a license therefor, in violation of this chapter, or who shall conduct or engage in any home improvement business while his license is suspended or revoked, in violation of this chapter, shall, upon conviction, be punishable by a fine not exceeding five times the then applicable license fee or by imprisonment for not more than 15 days, or both, for each and every violation. Each day that work is performed without a license shall be considered a separate offense.

B. Any contractor as defined herein who performs services on Shelter Island without a valid and current liability and worker’s compensation insurance policy shall, upon conviction, be punishable by a fine not exceeding $2500 or by imprisonment for not more than 15 days, or both, for each and every violation. Each day that work is performed without the required policies shall be considered a separate offense.

C. Any contractor as defined herein who advertises to perform services in the Town of Shelter Island without listing their license number on the advertisement shall, upon conviction, be punishable by a fine not exceeding $100. Each separate and distinct advertisement shall be considered a separate offense.

D. Any contractor as defined herein operates a vehicle in the Town of Shelter Island without a valid license sticker shall, upon conviction, be punishable by a fine not exceeding $100. Each unstickered vehicle shall be considered a separate offense for each day it operates in the Town of Shelter Island.

E. Any contractor regardless of licensing status as defined herein who utilizes any vehicle to perform services in the Town of Shelter Island without affixing a sticker shall, upon conviction, be punishable by a fine not exceeding $250. Each separate and distinct advertisement shall be considered a separate offense.

F. Any contractor as defined herein who Willful failure to comply with any lawful order of any Federal State of Town agency department or official shall, upon conviction, be punishable by a fine not exceeding $250. Each separate and distinct advertisement shall be considered a separate offense.
G. Any contractor as defined herein who engages in deceptive trade practices shall, upon conviction, be punishable by a fine not exceeding $5,000. Each separate and distinct advertisement shall be considered a separate offense.
H. Any contractor as defined herein who engages in unconscionable trade practices shall, upon conviction, be punishable by a fine not exceeding $10,000. Each separate and distinct advertisement shall be considered a separate offense.

§ 79-41. Injunctive relief.

Upon application of the Building Inspection or the Town Attorney, the Town may commence an action in the name of the Town to restrain, prevent and enjoin a violation of this chapter or any rule or regulation promulgated hereunder or any continuance of such violation.

§ 79-42. Stop Work

The Building Inspector may immediately stop work of any home improvement contractor found in violation of the provisions of this Chapter and shall immediately refer the matter to the licensing review Board.

§ 79-42. Private Right of Action

A. Any contract entered into in the Town of Shelter Island by any unlicensed contractor is voidable by the Home Owner subject only to payment for work already completed.
B. A private right of action shall exist for any Home Owner with regard to any violation by the contractor of ARTICLE III – PROHIBITED ACTS of this Chapter.

§ 79-44. Applicability.

This chapter shall take effect 10 days after its adoption and shall not apply to home improvement contracts entered into before such date.

A license issued by any governmental agency prior to the effective date of the appropriate article of this chapter shall continue to remain in full force and effect until its expiration or termination unless sooner revoked or suspended for cause.

SECTION 2. SEQRA

This Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this action will not result in a significant adverse impact on the environment.

SECTION 3. Effective Date

This local law shall become effective immediately upon filing with the Secretary of State.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 439

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

BE IT RESOLVED, That the following 2021 budget transfers are hereby approved:

$1,845.00 from the A3120.200 Police Department equipment account, and

$430.00 from the A3120.486 Police Department car gas and oil account to the A3120.400 Police Department maintenance account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 440

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

BE IT RESOLVED, That 2021 general claims numbered 1368 through 1465 in the amount of $87,794.62, 2021 highway claims numbered 167 through 173 in the amount of $27,477.28, and 2021 West Neck Water claim number 36 in the amount of $6,542.22 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.

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 proposed Local Law entitled Clarification of Charitable Noise Exceptions.

The Town 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 have a question about the principle purpose of the charity events, what exactly does that mean, my concern is that any function could claim that they're there for a charitable purposes, for example, a wedding, it could list a charity on their wedding registry and claim they're here to raise money for charity so my suggestion is that if you amend it to state the sole purpose of the function is for charitable purposes, thank you; thank you, Bob, would is that too significant to; I'm trying to think that through; okay you think about it; maybe I can help you, I do think primary purpose is probably is as ___ as you want to go because there might be some other, politicians may want to show up to the thing and it might be considered a political thing and sole purpose eliminates the ____; I think Gerry that we're probably okay with the primary purpose because remember you also had the thousand dollar limit; so can we do it, can we just amend it right now or do we have to set another hearing; as long as it's, if you need to, you can if you like, I don't think, I doubt that that is a large enough; change; change to require a second hearing, especially since we're already in this hearing; right; I kind of support the word primary and the sole, I think primary purposes is good; I don't know, this is throwing me a curve ball right now, I kind of like sole; okay; it's a charitable event, the sole purpose of a charitable event is the charity, not, whether the place covers their expenses and then what's left over is the charity; I use an example which most people can identify which most people can identify with, is The Nature Conservancy for decades has the annual July dance which, a dinner dance which basically was a primary purpose of raising money for The Nature Conservancy, however, and people donated a variety of different things, paintings and different things, sculptings and tickets to games and vacation spots, but it was the sole purpose of the evening, it was the sole purpose of the evening, the sole purpose of the evening also included education about The Nature Conservancy, getting on board, becoming a member, being a future donor, it had other things out of just raising money, to be honest with you it was a celebration of a good time by people, so even when you wrote your check for whether it was maybe three hundred dollars a person and if your wife went, it was six hundred dollars, you could take off so much for your tax purposes, not the whole amount, cause the whole amount, you had a dinner and everything, I don't know if the entire event was considered to be a charitable event or was it, the primary purpose was to raise money; my concern Jim, excuse me, you're using the Mashomack event, Mashomack wasn't a financial entity going business; okay; that's my concern; you are significantly restricting the current law okay and if you find trouble with the primary purpose __ that caused the problem, you can always make it stricter, the sole purpose but I think you're calling the sole purpose can cause these __ consequences that all of a sudden when they had been doing it in the past; Amber; I feel like sole, like the sole purpose of the event is to raise money, I'm not sure if I see a real differentiation, I'm not sure if it becomes deferential or not, if it is, if every little last bit of it really depends on how people come in and how people; yes; I think the intent was, the reason we addressed was, the reason we addressed this was we thought, actually it was pretty genius that we thought any place could have an event and we thought any place could have any place could have an event and say here's ten dollars towards a charity and it's a charitable event so we felt we had to define more specifically, I don't know if we need to define sole versus primary, I don't know, I know what the intent is, I just don't know how it; I get a little concerned that it's a little too tight and that there's no; let me give you a good example; can you just speak up, I know the voices, I just don't know your name; I thought it was well known here, __, the current example is that the Ram's Head Inn sent out invitations for a rum beach party and when the police showed up to enforce the noise ordinance, they announced it was for charity, is it rum or is it charity; that's a valid point but I do think in the application, we can't say it after the fact, when you fill out an application for a special event like that, you have to declare at that point that it is a charitable event, we just can't go above the noise ordinance and then have a Police officer show up and say oh by the way we decided to give five percent to charity, that's got to be part of the application because I think here in the minimum amount, I just feel, I think we're moving in the right direction, you're tightening the screw a little bit more and a little bit more and it's definitely a valid point that you brought up and that we need to learn from that but I like what our Town Attorney has said and what Bob has said here and if it doesn't work, that's a primary, then you make an amendment to that and say the sole purpose is, I think initially that: I actually keep hearing a very good point about that particular event because there are a lot of things where you will see corporate sponsored charitable events, is that the thing you sort of want to ban, we're not necessarily banning; again, we're doing it so people don't have an excuse to bypass the noise ordinance; right; that's our primary reason for doing this, so however we can do that and still allow; it really comes down to how to start; I think primary is a good start we didn't think of either primary or sole purpose, so I would feel comfortable starting with primary and if we see abuse, we would change it, that's my point; yeah; that would be mine too, when it comes to a wedding kind of, I like sole, I mean the intent is to not take advantage of the noise ordinance, that's the intent

and I think by saying primary, you are kind of building in a loophole to take advantage, that's how I look at it, that's all, that's how I look at it; Albert, when you use the word sole, does that mean a hundred percent of the gross goes to charity; yes; a hundred percent; a hundred percent if an event is at, you have to cover expenses; well that's what I'm talking about; when expenses are covered, yes, if you're holding an event at a location, you have to cover your expenses and then what's generated is for charity purposes; do we have somebody that's actually gonna go in and look at the books and make sure; I don't think you can ask any business to have a fundraiser and give over and above everything of doing business to the fundraiser, I mean they're in business, they have to make something; Gerry I just think you're giving into something you say you're gonna go back and correct; I would say; I would say you're saying it would be a problem, that's all; my suggestion is, it's after Labor Day that basically the high season is over, let's recess this meeting and put it on the agenda for Tuesday, Pam, you have a comment; yes I do, I agree that the wordage and the verbiage of this should be a sole purpose to a charity, it's Shelter Island, we're a small community, if we start sharing things with profits with rum distilleries and you know, this is not about businesses, ___ Shelter Island, people want to support the community events that are happening now and to summarize the sole purpose is not a primary when that indicates that it might be for some other purpose for another business owning it and being profitable, I'm really not sure that's what Shelter Island is all about and I think we should really think about clarifying this, this is the sole purpose, I'm sorry that I'm not a not for profit because I thought of having a charitable event at my house ___ and I can't do that now because I'm not a not for profit but anyway I think there's some wordage that makes it very clear there are no loopholes, eliminate the loopholes __ , we're trying to define things in the Code and that defines it and that's all I'm gonna say; okay my response to that would be, as a businessman and was in the restaurant and bar business years, a lifetime ago, and observing how generous the Island Boatyard has been to the this Island where they have events and charitable events, I don't think it's right to have an establishment have a charitable event on a Friday night and rather than split the fifty, fifty profit with the charitable donations, you have to give all your profit to the charity, it's just not realistic you know, I never thought about corporate entities being involved, that's something I guess we have to talk about, I mean I never thought about that, again this is Shelter Island, I don't think about those things but I don't think it's right to say that the business has to give a hundred percent of the profits, Tim, that's my feeling; I think we're missing the point that this is creating an exception for the noise ordinance where they're gonna put amplified music outdoors and blast the neighbors which is what the Ram's Head did with the rum party so we're not talking about you know, a typical enclosed bar on occasion doing you know, a charitable event inside, we're talking about an exception to the noise ordinance, thanks; __ if someone applies for a permit, you get to decide whether it's really a primary purpose or not, so the issue is really __ ; oh okay, how do we move forward; you can either proceed with the hearing, you can adjourn the hearing or you can basically hold a vote on whether you want to make the change; I'd like to bring the businesses in, Amber; ___ needs discussion; alright, Theresa I don't want to put you on the spot but you're here representing the Chamber, did you want to have anything to say, you have to come up here if you want to talk; I'm not gonna say anything then; okay, alright so we'll recess this hearing, okay, we're gonna recess this hearing.

The Supervisor recessed the public hearing at 5:10 p. m. and called to order the public hearing to be held as advertised on the application of Leon, 29 West Neck Road, Shelter Island, New York, for a special permit for the conversion of an existing retail bank building to restaurant use, new parking area, exterior lighting, landscaping, sanitary system, and site drainage.

The Town 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 just reiterate how, for anybody who wasn't here the other day, and thank you for the forum, that we have a great affection for Shelter Island and really are not restaurant people necessarily but found ourselves falling for a place and a property and the idea that we could make a home, first of all a good community and then also hopefully with the North Fork and the South Fork too but we're really anxious to, at first the idea came from a small __ with an open heart and a family run operation to farm fresh food what was fresh at the market on a simple menu and remindful of restaurant costs in general out here which are __ at super high level and we're gonna try to do our best at an attempt to raise money like every business but we're gonna try to do our best to keep down from other places and we have the opportunity to raise ____, I'm happy to answer any questions; I would, this is probably not appropriate but I do a lot of inappropriate things, I hope it will be available to local families pricewise, it gets harder each year for the local people to take their families out to dinner so I'm adding, I know you're in business,

you're sinking a ton of money into it and you have to make a living but keep that in mind, maybe just one day a week, we gonna, we have spoken about that, ___ a great local night, that is our goal too; right; and so we're aware of that; thank you; thank you very much.

The Supervisor declared the public hearing closed at 5:13 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled ALTER ZONING CODE.

The Town 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: Bob Kohn, a question for the Town Attorney, what was the impetus for this; we're just cleaning this up, a while back we had changed the mailing requirement to thirty days instead of ten, we're just changing the sign requirement to match; and that's it; that's it; thank you; anybody else.

The Supervisor declared the public hearing closed at 5:15 p. m. and called to order the public hearing to be held as advertised on the application of John M. Desisto, 9 North Menantic Road LLC, 9 North Menantic Road, for permission to install a mooring in West Neck Creek at a location designated as latitude 41.063193° north and longitude 72.353658° west.

The Town 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 met on August 2nd and looked at the application, approved this application based on those moorings and there was one other thing that the members wished to impose, it was a twenty-five foot boat limit limitation because the water is so shallow there so that's something ___, yeah that was approved; so will that be in the resolution; we'll have to add it in.

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 5:17 p. m. and called to order the public hearing to be held as advertised on the application of John M. Desisto, 6 Daniel Lord Road LLC, 6 Daniel Lord Road, for permission to install a mooring in West Neck Bay at a location designated as latitude 41.065006° north and longitude 72.362160° west.

The Town 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 met on the same day and obviously these are all part of the LLC, this is a private mooring and it is being, this person resides, this residing __ LLC resides at 3 Bowditch Road which obviously is not near the water and that's why this __ mooring, and those grid coordinates are perfect, yes.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I understood that this was one of the mooring applications that implicated the LLC resident's requirement and I wondered if you could explain to the public what was required of the applicant vis a vie LLC in this case; we're currently going by what is in the code, right; right; I can read some of the comments, after a long discussion, the committee suggested the following policy moving forward, the LLC was not disclosed, the beneficial owner of the LLC, the property of the LLC was limited to one mooring only where they could have been entitled to more, if the property is waterfront, this shall be assigned under the normal circumstances as a riparian mooring, inland property shall have private moorings, the private, and originally, in the original application, I think they were preparing to maybe come up with between __, property __ should be owned by the same LLC, so there was __ with the name of the person and that person is John Desisto, if the owner of the LLC is known and documented, the current allowance of three moorings per person owning three boats shall be allowed, that's the maximum, the WMAC strongly suggested the Town Attorney and the Town Board research legal aspects of the moorings issued to the LLCs of other municipalities and Chapter 90 will be addressed, will address these situations more clearly, so obviously the committee is asking for further clarification and you may or may not know, last year the WMAC donated most of the Fall/ Winter and early Spring focus on docks, they did that rewrite of the dock application, this year that focus in the Fall/Winter and early

Spring will be on moorings, so a lot of our time will be spent on relooking at the current law with the Town Attorney and with the Town Clerk and trying to clean up any language there because the main problem has been the stumbling block has been the LLCs which is you don't have a name assigned to that LLC, we're not quite sure, other towns sometimes demand that a name appear on the application itself, we're trying to better track these LLCs, I hope I made that somewhat clear but, some additional work needs to be done by that committee and we tried to work on this, getting these assigned to that one 3 Bowditch, so that there is no misunderstanding; thank you; I have a question; go ahead; I have a question, __ question, is, our code says that the owner __ has to be a resident, so we've got John Desisto on two of these and he is not a resident and we're going to the Aandrea Carter moorings coming up later today, just whether or not she was a resident or not, where are we going to confirm that; my understanding is John Desisto is attached to 3 Bowditch Road; attached means what, resides here; he's one of the principles of the LLC; okay; and resides on Shelter Island, that's the requirement in our code and the definition of resident; that's why we're looking at it Amber, that's why we're moving in this direction; I'd like confirmation of that before we proceed, I think we need to look at that as far as, before we can approve some of these; I agree with that Amber, I don't think we should move forward without revision or explanation of what we expect from the LLC for the mooring application; I think the bigger issue is resident versus property owner, I think the property owner is entitled to the mooring, if I owned property, if I own a house here and, but reside in New York City, does that mean I'm not a resident; let's define it in the code Gerry, whatever, let's define it before we can move forward; I agree with Albert on that, I feel we need to fix this or else I'm not comfortable to; for status quo, I had a mooring before I was a resident of Shelter Island but I owned property here and a lot of people own property here, that's the status quo, but I think status quo should be followed and not make an exception while you're changing the rules; and also the definition for resident just says who is the owner or who is the owner of that property so if someone owns his property would be considered to be a resident, I'm simply talking about LLC ownership, so it's a difference within our code; and just further on that is the requirement that the majority or beneficiaries of an organization be residents, if you haven't required, if you're satisfied that the LLC owns property, then the subsequent provision that the majority are residents, meaning property owners, it's completely meaningless cause anybody who is a member of this LLC owns property by virtue of their ownership or beneficial interest in the LLC, that probably wasn't very clear but I did submit a letter August 20th that talks about this, thank you; generally a property owner is a resident, that having been said, there certainly isn't anything wrong with clarifying the code, the question comes whether, on how you want to proceed in the interim, I don't think it necessarily, it certainly isn't the way we've proceeded, I think in the past to require that the individual owners of the corporation actually are domicilliaries so to speak but ultimately that's a Board decision; I was under the impression that we were gonna approve, I mean we're not even up to the, alright, what do you want to do; the WMAC is moving along with the idea that they were gonna clear up the code but we have two council people here that are opposed to doing that prior to that work being done so I don't know if the WMAC is going to move on any of these mooring applications from now on until that's done which could take months so __, it is at the end of the season, so maybe that's not a big deal but; I was under the impression that, with all of the discussions that we've had over the last number of weeks, that we told the Ram's Head Inn that we were gonna approve the moorings and talk about the dock and the vessel as separate issues which are on the agenda for Monday night's meeting, now I'm hearing that we're not doing that, it that what I'm hearing; yes; I thought we need to clean up the code before we could pass the moorings, so that needs to be legislative priority one; I thought Bob you were looking into that, to be honest, I thought that's where we left it; the way I thought we left it was we were gonna approve the moorings and discuss the dock, the dock, the issue was with the moorings and the access to the dock related and we felt no, the moorings are a transfer and the dock was a separate issue, I thought that's where we were going tonight and I guess that's not where we're going, okay so do we recess this or do we close it; I think we can close it; it depends on whether anyone else has anything else to say; does anyone else have anything else to say on the 6 Daniel Lord Road, okay so we'll close; Pam; yes this has been a very confusing session, but they __ and it does apply to the Daniel Lord Road application as well as the upcoming applications for the Ram's Head Inn, this has been in conversation since April 6th, according to the Shoreline Access meeting ----- this is very important which LLC and ____ Councilwoman Amber Brach-Williams and Councilman Dickson interested in looking into this, this is really important that we know who owns which LLC and which to which mooring, moorings are for Shelter Island residents only, that is clearly stated in the Town Code, if you're not a resident, you have to give up your mooring rights, I don't know what we're looking at here, are we looking at commercial mooring applications now that becomes another whole issue and a dock issue and a dock issue will be further investigated is what they, and who is a resident, I guess maybe that's the priority one, who actually is a

resident; close it, recess it; we can close it and then we have to take care of the legislative piece before we can act on it.

The Supervisor declared the public hearing closed at 5:29 p. m. and reconvened the recessed public hearing on the Tarlow bulkheading application.

The Supervisor called for a report from the Waterways Committee of the Town Board which was as follows: it was actually on the meeting for Monday night but I looked at it with Dot and it is about the return, it's not about the bulkhead itself, it's about the return so Tarlow is along, the whole bulkhead is going to be a separate application, there is a major deficiency with the return, the existing return right now is about nine feet, the proposed return will be 16 feet because of the amount of the erosion, if you take a look at the application and you see the pictures that from the return, there is major erosion taking place and I would call it moderate to severe, significant type of erosion taking place there so I think in fairness to, because of the nature of the place on Nostrand Parkway where erosion can become an issue, that we allow this repair to take place on the return which is parallel to, in the same line with the existing and then take a look at the separate application of the entire bulkhead but obviously every storm that comes by, the situation is not getting any better and they're looking to make that repair just on the return so I think we can act on this; what do they need Jim; how much are they asking for, what do they need Jim; they're looking for adding seven feet because the erosion is so severe, it goes beyond, the existing is nine feet, but the erosion if you look at the pictures goes well, I've been there, it goes well beyond the nine feet; ok; so you're just trying to stabilize that return on the one side in the same line, you're not moving it east or west; then they're filing a permit for the bulkhead replacement; and the bulkhead replacement will be a separate application; I have no problem with that for storm damage to stabilize.

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 5:31 p. m. and reconvened the recessed public hearings on the eight recessed hearings of the Ram's Head Inn mooring applications.

Correspondence included the following:
1. An e-mail from Aandrea Carter concerning the situation of the dock known as the Ram's Head Inn dock.

The Supervisor explained that these applications go along with the LLC issue, and the Town Attorney advised to recess the hearings. The Supervisor opened the hearing for all persons to be heard in favor of or in opposition. Some view expressed were as follows: does it need to be recessed or just be closed and then, like the other two, we deal with resident legislation verbiage and this here is closed so it can be acted on after; I think the timing on it is such that now that we're getting into mid October, September, excuse me, that this is gonna be a moot point, so closing is not a problem, you want to get it done right, you want to take the time to do it right, let's do it right, let's make it a priority, got to put it on the Town Attorney's docket, __the WMAC, and explain that to them and clean that part of the code up first before we go into anything else on moorings; could I ask for a clarification on what closing verses adjourning means; closing means we close the hearing, adjourning means we are recessing it and; okay, I would object to closing it because there have been no findings yet about the criteria on the dock law subsection M, subsection R rather has the eleven criteria for transfer of a commercial mooring, and I would point out that item three under that subsection requires you guys to consider the presence of a dinghy dock and/or the availability of a launch service, the dock as I pointed out weeks ago was inextricably entwined with this transfer application and as I also pointed out, you've got a launch that is servicing those moorings without a permit, so I'd like to keep this open or at a minimum, ask that the Board make findings as to those eleven criteria, thank you; ok; I think my only comment on that is the operative word in that section of the code is shall be considered, we shall consider the following criteria, it's not that they're all required, but we consider them in our decision making; Bob Kohn, Amber is correct, actually Marc Wein had called me and told me the same thing, only one of the considerations, it's something that's not absolutely necessary, I think that the, you closed the other hearing regarding the LLC, so I would think that to be consistent you would close these hearings as well, the moorings are not tied to the dock and if, what I'm hearing today is kind of what had been predicted for all along, that the opposition to the dock originally was really an opposition to the business itself because without the moorings, there is no business, and now they're saying that you can't have the moorings without the dock after earlier they said that you can't have the dock, now there seems to be a resolution that you'll dismantle the dock and there'll be another dock but like I

said if they try to remove the moorings, it's not gonna be another dock because there's not gonna be another business, not gonna be a business there, at least not gonna be a business during the winter, because they won't be able to afford to have a business during the winter, so I think the motivations here are just apart on a local business that has nothing to do with the kinds of business that wanted to be on that property, has provided a benefit to the community and just a couple of people who live next door to it have some concerns about parking, they have concerns about noise and it's never been about the dock, it's really been about the business and I think it would be an injustice to approve one mooring on the basis, or close one hearing on the basis of the LLC business hasn't been resolved and not, as a matter of fact, the stronger case can be made to close these hearings, the other LLC is owned by a gentleman, the LLC owns the moorings or the LLC owns property too, but maybe if that's the case, remember the Ram Island, the LLC owns both the property and the moorings, or is making the moorings application, so clearly the LLC and the person who owns the property owns the LLC, owns both the moorings and the property, so it's perfectly consistent with the status quo to close the hearing and then come to some resolution as to whether there's a residency requirement, if you leave the hearings open, I'm afraid for the community, I'm afraid for losing a business, of pushing someone, a business person so far to the wall, which is what they're trying to do, that it's going to maybe establish a precedent all over the island, because people just don't want things to happen at all, and I'm appalled to see, I don't know what changed Amber's mind from the last couple of hearings, because it was my understanding coming to these hearings, like Supervisor Siller, that they were going in one direction, and all of a sudden today, perhaps Mr. Dickson's been consistent, but I don't think Amber has been consistent, and I haven't heard her say why there's any difference, on the other hand, she is for closing the hearing and finding a resolution to the LLC which probably can be done I guess in a way that won't affect the business and I would ask you to close the hearing and not keep this thing going over, open, over to a point where you're gonna really hurt a business, I mean I have a, I just, I mean, I'm not just speaking for me as a local resident on Ram Island, there are lots of people on Ram Island very upset with these people coming up here and opposing this, some very I think reasonable things that they want to do, you have floats on those docks, they're there for the oysters that she wanted to put there, the very first day we met Aandrea, she says she wants to put oysters out there, yeah the dock is thirty percent longer than the other dock, why, because it's shallower water where it is, the dock is gonna be a little bit wider than the current dock, why, because you have a commercial dock with people coming on and off, unlike a residential dock which generally people just go on or off, but not at the same time, you need a wider dock, you don't want to have children falling off the dock, you want to have a situation that's safe, all these reasonable things that she's trying to do for the current dock and I'm just afraid that you get somebody who's been bending backwards, she, all her music has been indoors except for that one party that I was attending, and it wasn't that loud, okay, I'm afraid that you can push someone over the edge and we're gonna lose that place and God forbid what could come in there, we gotta rehabilitation center, we got another wedding thing, and I think it would be terrible to do something like this, you could, three years from now, make the mooring permits for one year, three years from now you can just take the permits away if it's being abused, I just, don't put this business, don't put that place out of business; Amber; I'm not sure what I've changed my states on, but I still think that we should keep all of these mooring applications the same and because there's LLC's involved ___ our code; so shall we close this hearing; may I please speak; I don't know, who are you; oh hi, this is Aandrea Carter; ok; I didn't attend today's advise, I understood this was kind of a perfunctory meeting and I certainly didn't want to take up more time speaking if it was unnecessary, I'm just really so surprised and so disappointed what here at this moment, Ram's Head Inn is a commercial enterprise, it's owned in an LLC as business are, the mooring balls are applied for in the same name as the same LLC, as you would want and I don't know if you would want me to live in the Inn in order to solve this problem but I, this is a commercial enterprise, so I think this is a very different issue than perhaps some of the other mooring issues when you're talking about the LLC, also may I assure you, in the case of the LLC is it relates to Ram's Head Inn LLC, I'm the sole member, so I'm not one of twenty people trying to figure a way to parse through this to get a mooring in Shelter Island but rather to continue on with the business and those mooring balls in place as they have been for a dozen or better years, doing exactly what they've been doing for the Inn all this time, so I, it's a critical financial matter for me and I do hope there's a way for you to consider voting affirmatively for it today and ease my mind, I greatly appreciate that, and if you can't see your way clear, I appreciate the consideration; thank you; yeah, just to clarify Aandrea, I'm not opposed to the transfer, I'm opposed to the fact that I think our code is incorrect and therefore I don't feel comfortable signing off on these because I think legislatively we'd be in, taking an adverse position to what our code section says, so I want to correct the code section so we do it properly; well I hear you, I'm trying to do business today and it may take you I don't know how long to correct the code situation and I'm still in limbo

all the while, so that is a very troubling and financially very concerning space for me to be in so I understand your wanting to correct the code, it feels punitive to be correcting it during business hours while we're trying to do business now and certainly with these moorings are three year applications anyway, so in three years I'm going to be asking for this again and if there's a code change, obviously I'm gonna have to comply with that; just briefly, unlike my friend from California, I haven't impugned anyone's motives and I put my arguments in writing, I've given you the law and what we're advocating is that you uphold the code, period; and I think that's Amber's concern is that we do this, and again, this is why we at last Tuesday's meeting, we talked about the Town code, that we have to make sure that everything is the way it's intended to be that we have to review everything and make sure that what we're doing and what it says are the same thing, so I understand that point but I --; so I think this is a worthwhile discussion and I listen carefully, Aandrea, I don't think it's the motive of the Town Board today to deny you the use of those eight moorings between now and whenever you close the business at the end of this year, I think we're gonna, is anybody here, am I misspeaking that we're gonna suddenly clamp down and say you can't use those moorings right now, cuz I agree with most everything that Bob has said there, I don't think it ends the business, but I think it's a way of bringing people to the restaurant in the good weather while people still have boats in the water and it does help and enhance the business and I'm for that, I think, again, I hate to use the word compromise but that's where my head is at and we're all grown people, it's a new business, I haven't found Miss Carter to be anything else but accommodating for anything we've asked here, I just don't want to pull the rug out on these eight moorings right now, I agree Amber that we want to do it right, let's close it and let's work on that, let's make it a top priority and let's get it done within the next month or so here and get this thing up and running, again we can make a judgment, I don't want to see the WMAC not be able to approve some of these mooring applications, they just start mounting up on us and; I can certainly have, there is a very simple code change, I can have it done by Tuesday if you want to have a special, I'm trying to do the counting in my head, if we do a special meeting Tuesday, I believe we can have; let's talk about it Tuesday; but send something to us though by Tuesday; yeah; give us something to talk about; alright, it's just adding property owners or something; I as a Town Board member I would like to make it a top priority to try to get done in the coming weeks, I don't say we necessarily have to go by Tuesday, but it's time that we resolve this particular issue and the WMAC, by the way, is a seven dedicated volunteers that come to meetings that want to make intelligent good decisions based on code and they are lost and as a liaison, it's hard to for me to explain something to them because it is not very clear, it's all open to interpretation and we need to dot the i's, cross the t's and make it less subjective and more objective; Amber were you going to say something; yeah I was just gonna say we earlier set special meeting for October fifth, so if we do have a special meeting on Tuesday, we could then on October fifth, do the public hearing; okay, alright how about, we closed the other two, we should close this one; October fifth is for budget purposes, that was in the resolution; yes, the resolution was for budget purposes; right; just to repeat, I would ask you not to close it because you haven't made the findings that you're required to do, thank you; I ___ what Amber talked about earlier, that the, you're not required to formally make findings, you're required to consider certain things, so that's up to the Board to, whether they want to go further; well, I mean our choices are reconvene the last two that we closed and recess this or ---; you're kind of either was determined but I probably, you should be consistent; Albert what do you; I'm, you're mumbling Bob; I was saying that you can, either one is acceptable but you need to be consistent; in other words we closed the other two, so we either; but they can be reopened if they're closed; we should reopen them right now because we closed them, why would we close two and recess one; no keep it open, it's gonna be continued, right; so let's reopen those two; right; you already closed them; I know, man this is like uh; you can always, there's not really a down side to leaving it open cuz you can always close and have the vote at the same meeting, so you're not delaying anything by leaving it open; alright, because everybody seems to look at the code and look at the law and say we're not doing things right, is the Ram's Head gonna come to us and say we're being prejudicial because we closed the other two for the same issue that we're not closing this one; ___; I'm just trying to cover the Town, I mean I don't know these answers; I do, it's an equal justice under the law, you really have to treat them the same, either way; I'll give you a ___, each one of these applications ___ generous okay, you consider it on its own merit, okay, you don't point to what happened before, you have to look at the criteria, you haven't done that yet, nobody has objected from the other cases, this one I've objected, I've asked you to do your job, it should be kept open; I can have it prefer ___ I tend to think whichever way you go on this, either way is permissible under the code, that you know be consistent throughout while each thing is treated, based on their own merits, like things should be treated the same, at least procedurally; okay, Amber, we'll start with you, recess or close; I still say close because as I said before, consider is the operative word and so when I review this from my perspective and we're the ones who have

to write the resolution, I'm good with closing it these ones; Albert; I mean I, you're not giving me real direct answer Bob really, I, to be consistent, close; Jim; I don't, I would need a more definitive difference between the two to make an intelligent decision, you know you want to go along, you want, I think they should be consistent, I think everything should be treated on its own merits as you just said, I don't care, as long as we can reopen them and after we fix what we need fixing, and deal with these applications, semantics to me whether you recess or close it, I just say we're not going away from these applications, we're not starting from scratch again, we're gonna fix what we need fixing and then we're gonna deal with these applications so however you best think that occurs, let's follow it, that's my thought; if it is closed and you want to reopen it, you're going to need to reset a hearing; right; yes; right; so if that is the way you are thinking, then you're better off leaving them open; that's kind of my thought process; alright, now you're being clear, now I can understand what you're saying, so I would recess, I would be in favor of recessing; and I would too, all three of them; all three of them; yeah; all three of them; yes; yes, we have to, there's a time line too we have to resolve the issue of ___; Amber; it sounds like these six that, the objection is about the consideration in the code for commercial moorings, so they are different the other two which were residential moorings, so I don't think we have to do like, we already closed them, they stay closed, this would be remaining open for a different reason; well I believe it's all about the; LLC; the LLC's and the residency issue, the other point by the way is that, just to kind of go back for one second to what that was initially about, the discussion about the LLC's was about making sure we had a representative that was known and there was a certain, people that didn't want to disclose certain members of the LLC, that was the rationale there, I think with regard to the Ram's Head, it's clear who the principle of the LLC is, they have disclosed so that that same issue isn't involved in that particular, in the Ram's Head mooring that is in the Daniel Lord moorings; I agree; the other, I thought the other ones are just resident moorings or just regular moorings so we've got the LLC issue there, these are commercial moorings and so the code section is you're transferring commercial moorings, you have to get into consideration; well we've, I believe there's one of each, there's one riparian mooring involved in this, one private mooring and then the Ram's Head moorings are commercial moorings, so they're all over the place here; yeah, so we don't have to go back on the other two, the other two are on hold because we need to fix the LLC ownership residency question; okay, so you're saying close the other, keep the other two closed and recess this one; yeah; I still would like to close; oh you'd like to close this one; but if the others ___ want to keep it open; yeah, there is no riparian mooring in the other; oh okay I'm sorry; they are all private, because they're all being assigned to three Bowditch and it would be impossible to assign a riparian mooring to three Bowditch; okay; the tidal flow up the road here, they're all private, two of their ___ maximum of three, alright; Albert, keep the other two closed and recess this one or close it; yeah, yeah; okay; at this point they're closed; yeah, I'll be very honest, I agree with Amber that we should close it but I'm not gonna vote that way because then we'll have a stalemate and we can't move forward, so I'll say let's recess it, okay we're gonna recess that Dot, okay.

The Supervisor declared the public hearings recessed at 5:55 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 441

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

"Whereas", a public hearing was duly held on the 10th day of September, 2021, on a proposed Local Law entitled ALTER ZONING CODE, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 8 - 2021 entitled ALTER ZONING CODE, is hereby adopted, to wit:

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

SECTION 1. § 133-34. Application and public hearing procedures for variances and special permits, is hereby amended as follows:

The first sentence of §133-34 C of the Shelter Island Town Code shall be amended to read as follows:

In addition, at least 30 days prior to any hearing before the Zoning Board of Appeals or 10 days prior to the hearing before any other board, the applicant shall mail notice of the time, date, place and nature of the hearing to the owners of record of every property which abuts and every property which is within 200 feet of the property involved in the application.

The third sentence of §133-34 D of the Shelter Island Town Code shall be amended to read as follows:

The sign(s) shall be displayed for not less than 30 days immediately preceding the public hearing if before the Zoning Board of Appeals or 10 days if before any other board.

SECTION 2

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. 442

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

"Whereas", Richard Tarlow, 2011 Trust, 25 Nostrand Parkway, has petitioned the Town of Shelter Island for permission to remove existing plus or minus 9 linear feet of wood bulkhead return, and construct new plus or minus 16 linear foot return along property line, beginning at landward end of existing concrete seawall return, and

"Whereas", a public hearing was duly held on the 20th day of August, 2021, and continued on the 10th day of September, 2021, 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 bulkheading:

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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

The Supervisor moved and Councilman Colligan seconded, to adjourn the regular meeting at 6:08 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

September 21, 2021

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 21st day of September, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar were also present. There were no other persons present.

All Town Board members signed a waiver of notice.

The Supervisor called the meeting to order at 2:01 p. m.

RESOLUTION NO. 442A

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

"Whereas", SH29 West Neck LLC ("Applicant") has applied to the Shelter Island Town Board for permission to alter the use of the premises at 29 West Neck Road, Shelter Island, New York and zoned Zone B - Business Zone, designated as Suffolk County Tax Map Lot 0700-014-03-009.1 (the "Premises"); and

"Whereas", the applicant proposes a change of use from a bank to a 38 (eventually expanding to 76 seats at a later date) seat restaurant with indoor and outdoor seating utilizing the existing 2,384 square foot building with a new indoor bar, new patio, new walkways, expanded parking lot, one new curb cut, new generator, 2 new underground propane tanks, new trash enclosure, new exterior lighting, exterior drainage system, replacement of the septic system and a renovation of the existing building including the basement with a new exterior stair; and

"Whereas", it has been determined that this application requires Site Plan Review and a special permit regarding the change of use, from the Town Board; and

"Whereas", Approval from the Suffolk County Department of Health for a new I/A septic system is pending and was submitted on 2/25/21; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on date, September 10, 2021, and

"Whereas", this Board wishes to render a decision on this Special Permit and Site Plan Review; now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as 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 Town Board makes the following findings as to the special permit:

1. This project involves the conversion of a bank to a restaurant; and
2. The applicant is working with the Health Department to upgrade to nitrogen reducing septic systems; and
3. There is a need on Shelter Island for year round restaurants; and
4. The site plan has been reviewed and found to be acceptable; and

BE IT FURTHER RESOLVED, That a special permit approving the change of use from bank to a restaurant and the approval of the review of the Site Plan of Jeffrey T. Butler, PE, PC dated 3/17/21 (SP1-4, SP7-11) and the preliminary plans of Robert Kahn, Architect dated 7/27/21 (pages A100-A103 and A201-A202) is hereby granted, subject to the following conditions:

1. The building permit shall not be issued until the applicant has received approval of the Suffolk County Department of Health, to install a nitrogen reducing septic system, and complied with all Health Department requirements;
2. The applicant shall obtain all necessary governmental approvals and licenses;
3. One parking space shall be provided off street per four persons of rated occupancy (including outside dining) and determined by the NY State Uniform Building and Fire Prevention Code (or 10 spaces, whichever is greater);
4. There shall be no drive through facilities;
5. Signage and exterior lighting shall be pursuant to Town Code; and

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Colligan, the special meeting was adjourned at 2:10 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 1, 2021

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 1st day of October, 2021, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, and approximately thirteen 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 Douglas M. Matz submitting his resignation as a member of the Zoning Board of Appeals.
2. An e-mail presenting the resignation of Jim Polychron as a member of the Recreation Commission.
3. An e-mail from Sean Davy volunteering to serve on a committee where needed.
4. An e-mail from Tommy Graffagnino applying for the vacancy on the Zoning Board of Appeals.
5. An e-mail from Peter Reich concerning the definition of residency.
6. A letter from Craig Wood dated September 29, 2021, tendering his resignation from the designation of Department Head effective immediately.

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
AUGUST 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	7,779,684.53	396,740.46	810,726.67	7,365,698.32	810,036.02
Hwy Checking	2,048,355.15	7,916.90	93,811.10	1,962,460.95	
T&AChecking	174,845.61	41,062.25	23,616.62	192,291.24	10,518.61
T&A Savings	12,240.07	2,708.63		39,348.70	
Hwy Cap Res	399,477.98	26,752.95		426,230.93	
WNW Supply	5,426,16	7,725.37	1,786.28	11,365.25	134,283.24
Taylor's Island	44,126.30	0.37		44,126.67	
Comm Preserv	5,477,207.47	244,866.90	4,455.54	5,717,618.83	5,905,592.18
Waterways	162,583.16	2,585.00		165,168.16	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,417.95
Environmental	0.00			0.00	5,680.17
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul. Reserv	241,481.13	2.02		241,483.15	
Ambul. Train	24,483.97	0.64		24,484.61	
TOTALS	18,676,558.19	754,761.49	934,396.21	18,496,923.47	7,237,528.17

The Supervisor read a Proclamation declaring Fire Prevention Week for the week of October 3 through 9, 2021. (A copy of the proclamation is attached to these minutes.)

The Supervisor read a Proclamation for the 120th anniversary of the Shelter Island Country Club (Goat Hill). (A copy of the proclamation is attached to these minutes.)

RESOLUTION NO. 443

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

"Whereas", Daniel W. Rosenberg, 21 Lakeview Drive, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Menantic Creek at Lesser Street, 75 feet west off shore into 3 feet of water, at a location designated as latitude 41.058806° north and longitude 72.340904° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on the 22nd day of October, 2021, 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. 444

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

"Whereas", Steven Rosamilia, 22 New York Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at the Stone Wall Town landing in the space formerly occupied by the Stefan C-3313 mooring located at latitude 41.8570° north and longitude 72.31273° west, now, Therefore

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:48 p. m., prevailing time, on the 22nd day of October, 2021, 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. 445

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

"Whereas", the Water Advisory Committee was established on March 1, 2019, consisting of five members, and

"Whereas", said Committee finds that additional members would add perspective and capabilities to this Committee, now, Therefore

BE IT RESOLVED, That effective October 1, 2021, the Water Advisory Committee is hereby expanded to consist of seven members.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 446

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

"Whereas", the term of Anthony Rando as a member of the Recreation Commission expired on August 7, 2021, and

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

BE IT RESOLVED, That Anthony Rando is hereby reappointed to serve as a member of the Recreation Commission for a term to expire on August 7, 2028.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 447

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

BE IT RESOLVED, That Sarah Lewis is hereby appointed to serve as FIT Aide for the year 2021 at the rate of $17.00 per hour and to serve as Asst. Recreation Leader for the year 2021 at the rate of $20.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 448

Supervisor Siller 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 full time office assistant at $22 per hour, for 35 hours per week, retroactive to August 18, 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 449

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

"Whereas", vacancies exist on the Community Housing Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Peter McCracken is hereby appointed to serve as a member of the Community Housing Board for a term to expire on February 9, 2024.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted

RESOLUTION NO. 450

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

"Whereas", vacancies exist on the Community Housing Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Bran Dougherty-Johnson is hereby appointed to serve as a member of the Community Housing Board for a term to expire on February 9, 2022.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 451

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

"Whereas", vacancies exist on the Community Housing Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Paul Cuccurullo is hereby appointed to serve as a member of the Community Housing Board for term to expire on February 9, 2023.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 452

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

"Whereas", vacancies exist on the Community Housing Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Maria Maggenti is hereby appointed to serve as a member of the Community Housing Board for a term to expire on February 9, 2025.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 453

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

"Whereas", a vacancy exists on the Water Advisory Committee, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Andrew Chapman is hereby appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2023.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 454

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

BE IT RESOLVED, That Doug Sherrod is hereby appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2023.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 455

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

"Whereas", a vacancy exists on the Planning Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Michael Shatken is hereby appointed to serve as a member of the Planning Board for a term to expire on December 31, 2021.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 456

Supervisor Siller 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 check in the amount of $294.50 received from Sylvester Manor Educational Farm, Inc. to the A8160.200 Landfill miscellaneous equipment account, and the reimbursement check in the amount of $1,000.00 received from New York Municipal Insurance Reciprocal for the Mack truck deductible to the DA5130.446 Highway Machinery contractual account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 457

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $421.65 to Carr Business, P O Box 936715 Atlanta, Georgia 31193-6715, for the copier on the second floor of the Town Hall for the term of July 11, 2021 through July 10, 2022, as follows:

A1420.484	$105.42
A1440.484	$105.41
B8012.484	$105.41, and
B8020.484	$105.41

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 458

Councilman Dickson 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 $102.00 from the A1220.491 Supervisor's contracts account to Carr Business Systems, P. O. Box 936715, Atlanta, Georgia 31193-6715 for the fee of $51.00 per month for the months of August and September 2021 for the base rate charge for overages.

Vote: 4 in favor 0 opposed

The resolution was thereupon duly adopted.

RESOLUTION NO. 459

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $521.99 from the B3620.491 Building Department service contracts account and $521.98 from the B8010.491 Zoning Officer's service contracts account to Carr Business Systems, P. O. Box 936715, Atlanta, Georgia 31193-6715 for the annual maintenance contract for the period July 1, 2021 through June 30, 2022 for the copy machine in the Building Department.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 460

Supervisor Siller 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 $1,158.00 from the A 1220.491 Supervisor contracts account to Williamson Law Book Company, 790 Canning Parkway, Victor, NY 14564 for the accounting budget software support contract for the period October 1, 2021 through September 30, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 461

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

"Whereas", Delight and Frank DeBernardis have applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 15 North Brander Parkway, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $10,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $10,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 462

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

"Whereas", George Birman has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 6 South Street, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $6,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $6,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 463

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

"Whereas", Annmarie and Benedict Norris have applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 38 Brander Parkway, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $8,000.00 be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $8,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 464

Supervisor Siller 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 $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, 2021 though September 23, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 465

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

"Whereas", the Commissioner of Public Works has requested permission to advertise for bids for a portable bathroom trailer for Crescent Beach, 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. 466

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

"Whereas", the Town Board approved a permit for the Shelter Island Historical Society to hold a musical/play in July of 2021, and

"Whereas", the Historical Society paid a compliance fee of $100.00, and

"Whereas", no fees were required for said event, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit of $100.00 to the Shelter Island Historical Society, P. O. Box 847, Shelter Island, New York 11964.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 467

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

"Whereas", the Town Board approved a permit for Andrea Stern for permission for an art exhibition, and

"Whereas", Ms. Andrea Stern paid a compliance fee of $100.00, and

"Whereas", no fees were required for said event, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit of $100.00 to Ms. Andrea Stern, 44 West 77th Street, 10E, New York, New York 10024.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 468

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

"Whereas", 10 Lord's Lane wishes to construct a barn with a bathroom and septic system on land that was restricted to agricultural use and support at the time of subdivision and subject to Town Board approval; and

"Whereas", no variance, special permit or wetlands permit is needed from the Town of Shelter Island; now, Therefore

BE IT RESOLVED, That the Town Board finds that the proposed construction is consistent with the permitted use.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 469

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

"Whereas", Bert Waife has requested a variance to attach a float and work boat to a single mooring to support his aquaculture business; and

"Whereas", the Town Board is considering a code change to regulate such activity; now, Therefore

BE IT RESOLVED, That Mr. Waife is hereby granted temporary permission to moor his boat and platform together pursuant to Town Code Section 90-10 which gives this Board the ability to set regulations on moorings; this temporary permission shall last for one year.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 470

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

"Whereas", Brian Sherman, Superintendent of Highways, has requested permission to auction off the following items through Municibid, starting October 4, 2021, at 0800 hours and ending October 15, 2021 at 1600 hours:

4 16 foot alpine steel insulated rollup doors, sold together, as is; and

1 10 foot alpine steel insulated rollup door, as is; 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. 471

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

BE I T RESOLVED, That the Town Board grants permission for a barbeque to be held on Wade's Beach on October 2, 2021, cosponsored by the Town of Shelter Island and the Shelter Island Lion's Club; and

BE IT FURTHER RESOLVED, That the deposit and all fees are waived; and

BE IT FURTHER RESOLVED, That the Noise Ordinance is suspended for the duration of the event; and

BE IT FURTHER RESOLVED, That the Chief of Police is granted the authority to suspend such parking regulations as he may believe necessary to maintain good public order during the event.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 472

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

"Whereas", in 2022, the Town of Shelter Island expects to receive approximately $13,570.00 in Federal Community Development Block Grant Funds; these funds may be used and have been previously used for a variety of projects to be selected by local officials.

Eligible activities include:

Housing rehabilitation
Public services
Public improvements and facilities
Administration and Planning; now, Therefore

BE IT RESOLVED, That Town residents are invited to attend this public hearing at 4:40 p. m., prevailing time, on the 22nd day of October 2021, in the Shelter Island Town Hall, Shelter Island, New York to express citizens' views on the local community development needs to be met with these funds.

Vote: 4 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 Dickson, to wit:

"Whereas", James Davies, 66 Ram Island Drive, has petitioned the Town of Shelter Island for a wetlands permit to remove existing stair along westerly property line, redeck existing platform at bulkhead, adjust grades, construct new retaining wall, pool and patio partially within regulated 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 4:42 p. m., prevailing time, on the 22nd day of October, 2021, 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: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 474

Councilman Dickson 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 on the 22nd day of October, 2021, for all interested persons to be 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 2022 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 2022 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 475

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

BE IT RESOLVED, That the following 2021 budget transfers are hereby approved:

$1,000.00 from the A8160.488 Landfill high visibility clothing account to the A8160.484 Landfill office and miscellaneous account; and

$900.00 from the A1490.122 Public Works personal services account to the A1490.121 Public Works personal services account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 476

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

BE IT RESOLVED, That 2021 general claims numbered 1466 through 1588 in the amount of $122,366.82, 2021 highway claims numbered 174 through 193 in the amount of $18,078.54, and 2021 West Neck Water claims numbered 37 through 38 in the amount of $589.74 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:58 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Stephen and Mimi Houston, for permission to remove and dispose of existing 6 ' by 20" floating dock, and construct new 6' by 32' floating dock in-kind, in-place.

The Town 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 met on September 13th, the last meeting, they were concerned about the dock encroachment on the setbacks, the neighboring property, the contractor Jack Costello was present at the meeting, offered to reduce the size of the floating dock from 6 by 32 to 6 by 28, taking four feet off which he did do and that would adhere to the 25 foot setback and it was passed unanimously once that was done.

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 5:00 p. m. and called to order the public hearing to be held as advertised on the application of Ram's Head Inn, LLC, 108

Ram Island Drive, for permission to construct a 10' by 10' access platform leading to a 5' by 50' fixed ramp down to a 5' x 40' fixed dock; install a 4' by 16' ramp leading to an 8' by 40' float with an 8' x 40' "L" section in Coecles Harbor.

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

Correspondence included the following:
1. A letter from Pam Demarest objecting to the Ram's Head Inn dock application for many reasons.
2. A letter from Anton Gorovino concerning the Ram's Head Inn dock.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: so at the same meeting on September 13th, the WMAC met, they did not discuss this application and will seek advice on the zoning issues, on the Town Board and from the Town Attorney, prior to looking at this application.

At 5:01 p. m., based on the report from the WMAC, the Supervisor declared the public hearing recessed and called to order the public hearing to be held as advertised on the application of South Ferry, Inc., for permission to install a mooring in West Neck Harbor at a location designated as latitude 41.02404° north and longitude 72.20506° west, and if said mooring site is approved, applicant will relinquish the two mooring sites in West Neck Bay.

The Town 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: so we met again on September 13th and, with the idea that everybody realizes that during these big storms, that could be tropical storms coming up or category 1, 2 hurricanes, that South Ferry which has 3, 4 to 5 ferries, needs to protect some of those ferries, so they used to take them up into West Neck Bay, the navigation up through West Neck channel there, is pretty tight so therefore, if you saw the last storm about a month ago in the Summer, two ferries were tied up inside of Shell Beach and so you saw that out there and they're, now we have actually a triangle so the WMAC had concerns about the dock encroachment, oh sorry, the coordinates of the application had been incorrect on the format, we came out with new coordinates, those new coordinates for the, is latitude 41.044737 north and longitude 72.347678 west, so it's actually if you look at a map, the two existing ones are a little bit further north and this bottom one is a little further south, it's a triangle set up so regardless of how the winds swing, those ferries will never hit one another, all three of them would be more, and the advantage of that too is in an emergency if we needed to call upon a ferry, rather than bring it all the way up from the bay down through the channel and over, we could get it over to the slip very quickly by moving it, probably it's one or two tenths of a mile there; right, Cliff did you want to speak to this; __ we have not actually gone up to West Neck Bay __ so we have not gone up into West Neck Bay, what we have done with the small boats is go to Jeff and Gary Cardillo's bulkhead ___ it nicely but it does take another hour to get from West Neck Harbor up to that location when West Neck Bay would be another thirty or forty minutes and so we would keep that there, this would provide us three spots which __ and __ for emergencies and __ as with Mrs. Jernick in the height of a storm, we were able to transport.

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 5:05 p. m. and called to order the public hearing to be held as advertised on the local law entitled REVISE SEPTIC REQUIREMENTS.

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

The Supervisor explained that this is the revision we've been working on for quite a while, we've had a number of discussions regarding the requirements, we took out one that we said we would continue our discussion on, we will continue our discussion on that; do we want to have any discussion on this before we open it up; I think the only comment that I want to make is I know that one of the things in here is about the septic rebate and that making them eligible in certain situations, the installation for a system failure, if the proposed construction on a new residence is less than fifteen hundred, is an economic situation or a hardship or _ application __, we are, Gerry and I are meeting with Fred Thiele next week and so I want to discuss with him on these

provisions that we have in here to get his take on whether or not we are eligible, I know Bob, you've gone over them and looked at them but I just __ enabling legislation, I want to make sure that he understands what I want to accomplish; yeah; I just wanted to mention that; good idea; and the other thing is Al, if you just email __, I'll get any date the two of you want to meet, and if we can do it before you leave; definitely; so that one piece that we're missing on the septic is the stuff on renovations and we have some really good definitive ideas, I think if the three of us meet and we can give it to Gerry and Amber for discussion, I'd like to get that done sooner or later; Stephen I see your hand up; yes, I'm happy to hear about the meeting with Mr. Thiele, that's very constructive, my concern as expressed in the letter in the Reporter is that by opening up WQI funds for a certain of these uses, particularly the ones that as it would appear to me that it would violate the portion of Town Law that specifically says that water quality improvement projects do not include the projects which permit new growth, that seems to me to be the __ issue and __ the intent would be very helpful; I agree and I think that's why Amber is gonna seek the advice of Assemblyman Thiele, but it's a good point Steve; thank you.

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 5:08 p. m. and called to order the public hearing to be held as advertised on a proposed Local Law entitled REVISE TOWN CODE RE HOME IMPROVEMENT CONTRACTORS.

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

Correspondence included the following:

1. A letter from Michael Shatken proposing a change to what has been proposed.

The Supervisor reported that the intent of this is for a number of reasons, one, it's for everyone is playing on an even keel, that everyone is licensed, everyone is insured, everyone is equal, we have a lot of people that work on the Island that you know, pay their dues and pay their insurances and pay their taxes and we now we have a lot of competition from off the Island now, they charge the same rates as everybody else but don't pay the overheads that go with being in business, so number one we want to even the playing field, number two we want to make it safe for the homeowners that they can feel comfortable knowing that everyone has liability and workers' comp and all the needed insurances and number three, I'm not gonna lie, since I've been here, we're trying to take as much of the burden off the taxpayers as we can and put user fees in wherever they're feasible and we're putting user fees in with contractors licenses, with permit applications, we're putting them in with waterways funds where we feel that anything related to the waterways should come out of waterways funds, we put them in with boat storage, it's a source of revenue, it's a user fee issue as opposed to the general tax base so it's a kind of a controversial thing, people will say well it's a huge, it's a tremendous increase, we're going from a hundred dollars for a two year license to two hundred and fifty dollars for one year and I'll say to that, and I'm a businessman, I have a business, that two hundred and fifty dollars a year is a cost of doing business, it's a license fee and if you can't afford two hundred and fifty dollars, maybe you shouldn't be in business, that might sound cold, that might sound harsh but I think that's the reality and that's the way I feel about it, this is a public hearing, quite honestly, I thought there'd be a lot of people here to talk about it, we will talk about it Tuesday at the work session, I will wait for some of the contractors that I respect and I look for their opinions to get back on the Island and we will talk either at the work session or as a group of individuals, you know, separate from the work session and we will come back to the Town Board but this is the proposal, this is the first part of the hearing and I don't know if anybody wants to make any comments; I think it's prudent Gerry to discuss with the contractors; yes; I think that's a smart move, there's different sides, people brought different ideas to the table so I think it's good; I concur with that, the other thing, this eleven page document that we're talking about right here, is on line so Amber, will you explain how to get there; yeah I mean it's a little, we meet monthly on the Town website and we're making changes as I make; Town topics; trying to make things more user friendly and where people can find things, so if you go, scroll down to Town topics news and information; second one in and you hit that and then you see upcoming pending laws and legislation, there's a number of things on septics, there's the last two things we just talked about are right there and the other one was the charitable noise exemptions so we are trying to do a better job of getting these Town topics up online so the public has access to them so they can spend some time, look through them and be a little bit more visible so everybody has the same information the Town Board has, we're gonna go home with this this weekend and we're gonna ponder through this and we're gonna make notes as Albert just mentioned, there's some possible concerns in here and Gerry will meet with the contractors and then maybe we'll tweak it

but generally speaking, the Supervisor gave a general overview of why in this day and age it's important to have, you know, to level playing field, again it depends on how you define that so there's lots of issues in these eleven pages; so I think it's up to you people to take some time, look at the web and if you have suggestions, please send them in, you know if you feel there is something that's, give us your ideas and opinions about it you know part of this legislation about it and we'll gladly look at those, thank you.

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 5:15 p. m. and reconvened the recessed public hearings on the applications of Ram's Head Inn LLC, Aandrea Carter, for permission to install a series of eight moorings in Coecles Harbor.

The Supervisor explained that these hearings were recessed because the Town Board wanted to define residents and they saw no reason to reconvene these hearings at this time because they had not completed doing so, therefore they did not reconvene the recessed eight public hearings concerning the Ram's Head Inn moorings. This motion was carried.

The Supervisor reconvened the regular meeting at 5:17 p. m.

RESOLUTION NO. 477

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

"Whereas", Stephen and Mimi Houston, have petitioned the Town of Shelter Island for permission to remove and dispose of existing 6' by 20' floating dock, and construct new 6' by 32' floating dock in-kind, in-place, and

"Whereas", a public hearing was duly held on the 1st day of October, 2021, 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 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 removal and disposal of the existing 6' by 20' floating dock, and the construction of a new 6' by 28' floating dock in-kind, in-place, 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: 4 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", South Ferry, Inc., has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Harbor at a location designated as latitude 41.02404° north and longitude 72.20506° west, and if said mooring site is approved, applicant will relinquish the two mooring sites in West Neck Bay, and

"Whereas", a public hearing was duly held on the 1st day of October, 2021, 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 West Neck Harbor at a location designated as latitude 41.044737° north and longitude 72.347678° west, and the relinquishment of the two mooring sites in West Neck Bay.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilwoman Brach-Williams, the meeting was adjourned at 5:21 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 5, 2021

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 via Zoom and in person on the 5th day of October, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and approximately five persons were also present.

The Supervisor called the special meeting to order at 2:35 p. m.

Salute to flag.

The Town Clerk presented the proposed 2022 tentative budget to the Town Board members.

The Supervisor gave an overview of his proposed budget.

At 3:00 p. m., Supervisor Siller moved and Councilman Colligan seconded to recess this special meeting until 9:00 a. m. on Thursday, October 7, 2021. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 7, 2021

The recessed special meeting for budget purposes was reconvened on the 7th day of October, 2021, in the Shelter Island Town Hall, Shelter Island, New York via Zoom and in person on the 7th day of October, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and approximately five persons were also present.

The Supervisor called the special meeting to order at 9:08 a. m.

The Board discussed many of the proposed department budgets for 2022 such as Building Department, Fire Marshal, Justice Court, Supervisor, Recreation, Town Clerk, Town Attorney, Engineering Department, Green Expo, Public Works, I T Committee, Taylor's Island, Piping Plovers, Shellfishing, Historical Society, Town Historian, etc.

At 11:15 a. m., Councilman Colligan moved and Supervisor Siller seconded, to recess this meeting until 9 a. m. on October 12, 2021, This motion was carried.

Dorothy S. Ogar
Town Clerk

October 12, 2021

The recessed special meeting for budget purposes was reconvened on the 12th day of October, 2021, in the Shelter Island Town Hall, Shelter Island, New York via Zoom and in person on the 12th day of October, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and approximately nine persons were also present.

The Supervisor called the special meeting to order at 9:17 a. m.

The Board discussed many of the proposed department budgets for 2022 such as Receiver of Taxes, EMS, Nutrition Program, Silver Circle, Residential Repair, etc.

At 11:47 a. m., Councilman Dickson moved and Councilwoman Brach-Williams seconded, to recess this meeting until 9 a. m. on October 13, 2021. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 13, 2021

The recessed special meeting for budget purposes was reconvened on the 13th day of October, 2021, in the Shelter Island Town Hall, Shelter Island, New York via Zoom and in person on the 13th day of October, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and approximately ten persons were also present.

The Supervisor called the special meeting to order at 9:10 a. m.

The Board discussed the Public Works, Highway and Police Department proposed budgets for 2022.

At 11:02 a. m., Supervisor Siller moved and Councilwoman Brach-Williams seconded, to recess this meeting until 9:30 a. m. on October 15, 2021. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 15, 2021

The recessed special meeting for budget purposes was reconvened on the 15th day of October, 2021, in the Shelter Island Town Hall, Shelter Island, New York via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and approximately four persons were also present. Councilman Albert Dickson was absent.

The Supervisor reconvened the special meeting at 9:30 a. m.

The Board discussed and reviewed the completed estimates.

RESOLUTION NO. 479

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

"Whereas", a tentative budget for the fiscal year 2022 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 2022, now, Therefore

BE IT RESOLVED, That it is hereby adopted as the preliminary budget for the ensuing year, and the Town 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 3rd day of November, 2021 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: 3 in favor 0 opposed

The resolution was thereupon adopted.

At 10:04 a. m., Supervisor Siller moved and Councilman Colligan seconded, to adjourn the special meeting. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 22, 2021

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 22nd day of October, 2021, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, and approximately thirteen 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 Association concerning zoning code amendments.
2. A letter from Brian Sherman, Superintendent of Highways requesting permission to perform drainage maintenance in Hilo Shores and Shelter Island Heights.
3. An e-mail from Sandra O'Connor concerning canteen trucks at construction sites.
4. A letter from Brian Sherman, Superintendent of Highways, requesting permission to auction three vehicles through Municibid.
5. A letter from David Austin concerning his application for membership on the Zoning Board of Appeals.
6. An e-mail from Reyhan Doganaksoy concerning security at Klenawicus Airport.

7. An e-mail from Matt Williamson applying to be considered for a position on the Water Quality Improvement Advisory Board.
8. Recommendations to the Town Board for the Zoning Code review.

The Supervisor presented the following financial report for the month of September:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
SEPTEMBER 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	7,365,698.32	408,836.38	707,354.64	7,067,180.06	810,052.81
Hwy Checking	1,962,460.95	475.20	109,761.93	1,853,174.22	
T&AChecking	192,291.24	41,246.63	35,392.19	198,145.68	10,518.87
T&A Savings	39,348.70	0.97		39,349.67	
Hwy Cap Res	426,230.93	22,510.84		448,741.77	
WNW Supply	11,365.25	11,683.26	17,344.57	5,703.94	123,570.69
Taylor's Island	44,126.67	0.36		44,127.03	
Comm Preserv	5,717,618.83	46.30	8,050.73	5,709,614.40	5,905,714.02
Waterways	165,168.16	2,842.50		168,010.66	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,425.70
Environmental	0.00			0.00	5,680.22
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	241,483.15	1.96		241,485.11	
Ambul Train	24,484.61	0.60		24,485.21	
TOTALS	18,496,923.47	487,645.00	877,904.06	18,106,664.41	7,226,962.31

RESOLUTION NO. 480

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

"Whereas", Burton White, 34 South Menantic Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek at a location designated as latitude 41.055104° north and longitude 72.354573° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 12th day of November, 2021, 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. 481

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

"Whereas", Charles Dunne, 18 - 20 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor, at a location designated as latitude 41.07428° north and latitude 72.29142° west; said mooring location was formerly occupied by the Robertson C-2551 mooring, 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 12th day of November, 2021, 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. 482

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

"Whereas", Sylvie Van Huy Len Broeck and Peter Vanderbruggen, 8 Rocky Point Road, have petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay approximately 125 feet northwest of the W-3543 Langham mooring, and designated as location latitude 41.065132° north and longitude 72.363774° west, now, Therefore

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on the 12th day of November, 2021, 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. 483

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

"Whereas", Susan Weber/5 Winthrop LLC, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as latitude 41.0849° north and longitude 72.34949° west; said mooring location was formerly occupied by the D-3190 Corl mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:48 p. m., prevailing time, on the 12th day of November, 2021, 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. 484

Councilman Colligan offered the following resolution, which was seconded by Supervisor Siller, 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 Thomas Graffagnino is hereby appointed to serve as a member of the Zoning Board of Appeals for a term to expire on July 8, 2027.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 485

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

"Whereas", a vacancy exists on the Water Quality Improvement Advisory Board, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Elizabeth Bishop is hereby appointed to serve as a member of the Water Quality Improvement Advisory Board for a term to expire on April 2, 2023.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 486

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

"Whereas", a vacancy exists on the Water Advisory Committee, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Lisa Shaw is hereby appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2023.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 487

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

"Whereas", a vacancy exists as Chairman of the Zoning Board of Appeals, now, Therefore

BE IT RESOLVED, That Phil DiOrio is hereby appointed to serve as Chairman of the Zoning Board of Appeals for a term to run coterminously with his appointment as member of the Zoning Board of Appeals, which is July 8, 2026.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 488

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement checks in the amount of $20.08 and $12.05 received from Quill.com to the A1355.484 Assessors office and miscellaneous account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 489

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

BE IT RESOLVED, That the Town Board work session scheduled to be held at 1 p. m. on Tuesday, November 9, 2021 is hereby re-scheduled to be held at 1 p. m. on Wednesday, November 10, 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 490

Councilman Dickson 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 $48,828.00 from the A9025.800 LOSAP account to Glens Falls National Bank and Trust Company, c/o Penflex Actuarial Services, LLC, 50 Century Hill Drive, Suite 3, Latham, New York 12110 for the 2020 audit of the Penflex Service Award Program for the EMS Department.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 491

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

"Whereas", the Superintendent of Highways advertised roll up doors up for auction, and

"Whereas", no bids were received on said doors, and

"Whereas", the Superintendent of Highways has requested permission to dispose of the advertised auction items, now, Therefore

BE IT RESOLVED, That the Town Board hereby authorized the Superintendent of Highways to dispose of said items at the local metal recycling facility.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 492

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

"Whereas", sealed bids for the disposal of municipal solid waste and for equipment to be used for such disposal of MSW and tires generated in the Town of Shelter Island, and

"Whereas", National Waste Services LLC, 1 Jem Court, Bay Shore, NY 11707 was the sole bidder, as follows:

	1st 2 years	2nd 2 years (Optional)
	1/1/22 - 12/31/23	1/1/24 - 12/31/25
Nonrecyclable MSW:	.0835 cents/$167.00	.0835 cents/$167.00
Tires:	.175 cents/$350.00	.175 cents.$350.00, and

"Whereas", the Commissioner of Public Works and the Town Board have reviewed the bids, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award said bid to National Waste Services LLC for the aforementioned prices.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 493

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Dickson, 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 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 494

Councilman Dickson 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 Police Department, Town Hall Complex, Hall of Justice, 40 North Ferry Road, and the ambulance building for the year 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 495

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the amount of $280.00 to Seven on Shelter for four unused parking permits for the year 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 496

Supervisor Siller 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 $52,452.00 from the Police Department A3120.491 Police Department contracts account to the Town of Southold for the dispatch payment due for the year 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 497

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,265.00 to Annmarie Seddio from the 2021 A1330.414 Receiver of Taxes postage account for the purchase of stamps.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 498

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

"Whereas", the Superintendent of Highways was authorized and directed to advertise for sealed bids for precast cement drainage products, and

"Whereas", Suffolk Precast, Calverton, New York was the sole bidder at the amount of $14,820.80, and

"Whereas", the Superintendent of Highways has reviewed the bid submitted and recommended that the Town Board authorize the awarding of said bid to Suffolk Precast, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award said bid for precast cement drainage products to Suffolk Precast, Calverton, New York for the aforementioned amount.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 499

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

"Whereas", the Commissioner of Public Works was authorized to advertise for bids for the purchase of one prefabricated restroom trailer for Crescent Beach, and

"Whereas", the sole bidder was Comforts of Home Services, Inc., 410 Rathbone Avenue, Aurora, Illinois 60506 for the project bid price of $80,500.80, and

"Whereas", the Commissioner of Public Works and Town Board have reviewed said proposal, now, Therefore

BE IT RESOLVED, That the Town Board hereby awards the bid for said restroom trailer to Comforts of Home Services, Inc., 410 Rathbone Avenue, Aurora, Illinois 60506 for the project bid price of $80,500.80.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 500

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

"Whereas", Annmarie and Benedict Norris were awarded a conditional rebate of up to $8,000.00 by the Water Quality Improvement Advisory Board (WQIAB), and

"Whereas", The Norris' have filed a revised septic rebate application, and

"Whereas", The Water Quality Improvement Advisory Board (WQIAB) has amended said $8,000.00 to be $10,000.00, now, Therefore

BE IT RESOLVED, That Resolution No. 463 - 2021 is hereby amended to state that the WQIAB approves the applicant for a conditional rebate of up to $10,000.00 in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 501

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

"Whereas", Audrey and Campbell Myers, 2 Bay Avenue, have petitioned the Town of Shelter Island for a wetlands permit for renovation and expansion of existing single family home, construction of a proposed swimming pool, pool patio, accessory structure (including garage, pool cabana and attached storage shed) outdoor kitchen and fireplace, 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 4:50 p. m., prevailing time, on the 12th day of November, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 502

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

"Whereas", filming permit number 76 was issued on August 23, 2021 to Luckiest Girl Alive LLC/Mike O'Neill for filming at North Ferry landing, walkway behind 12 Summerfield Place and North Ferry on August 24, 2021, and

"Whereas", a filming clean up deposit of $1,000.00 was paid for said filming, and

"Whereas", the Commissioner of Public Works has 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 Mr. Michael O'Neill, Luckiest Girl Alive, LLC, 297 Bond Street, Brooklyn, New York 11231.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 503

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

"Whereas", the Town of Shelter Island and the County of Suffolk wish to be able to partner for the purposes of jointly acquiring property for open space; and

"Whereas", the general terms of such cooperation must be defined prior to proceeding with any individual project, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island hereby authorizes the Community Preservation Fund Advisory Board to enter into agreements with the County of Suffolk to jointly purchase land, and

BE IT FURTHER RESOLVED, That with regard to any such joint agreements, the Town of Shelter Island and County of Suffolk shall each contribute an equal fifty percent (50%) share towards the acquisition price, and

BE IT FURTHER RESOLVED, That the Town of Shelter Island shall manage any such property acquired jointly with the County of Suffolk and that the County of Suffolk shall have no actual or financial responsibility for the maintenance of such property.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 504

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

BE IT RESOLVED, That the Supervisor is authorized to enter into a contract extension with the Taylor's Island Foundation on the same terms as the current license extending the same for an additional five (5) years.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 505

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

"Whereas", a Phase 1 environmental study has been completed of the Town property a 12 South Ferry Road, and

"Whereas", further study is necessary prior to consideration of the site for development for affordable housing, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized to proceed with a Phase 2 environmental study and to enter into a contract for such study.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 506

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

"Whereas", the State of New York has mandated the institution of the Juneteenth holiday, and

"Whereas", the Town of Shelter Island wishes to ensure that it continues a high level of service to the public, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island shall observe the Juneteenth holiday beginning in 2022 in that Town offices other than the Highway and Police Departments shall be closed and all non-union employees are not required to report to work, and

BE IT FURTHER RESOLVED, That in the event that Juneteenth falls on a Saturday or Sunday, such holiday shall be observed on the following Monday, and

BE IT FURTHER RESOLVED, That the Town will no longer observe Lincoln's Birthday as a holiday, the same having been absorbed by President's Day and that all non-union employees shall be required to work on that day, and

BE IT FURTHER RESOLVED, That union contracts shall be unaffected by this resolution.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 507

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

"Whereas", the Town Clerk would like to start accepting credit card payments in order to accommodate people of Shelter Island; now, Therefore

BE IT RESOLVED, That the Town of Shelter Island may accept credit card payments for any fees due to the Town; and

BE IT FURTHER RESOLVED, That the Town may charge a service fee for those paying by credit card to the extent necessary to offset the expense to the Town of offering the additional service; and

BE IT FURTHER RESOLVED, That the Supervisor is authorized to enter into any contract with a credit card issuer, credit bureau or credit service company in order to implement this program; and

BE IT FURTHER RESOLVED, That pursuant to New York State Law, the Town Clerk shall develop and publish a "Credit Card Acceptance Policy".

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 508

Supervisor Siller offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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 the 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 part of the East End Regional Intervention Court pursuant to C.L.P. 170.15(4); and

"Whereas", the Hon. Andrew A. Crecca, District Administrative Judge, has assigned East Hampton Town Court Justice Steven Tekulsky, Shelter Island Town Court Justice Mary-Faith Westervelt, Southampton Town Court Justice Karen Sartain and Southold Town Court Justice Eileen Powers to serve as East End Regional Intervention Court Justices for the Drug Court Hub; and

"Whereas", pursuant to Section 106 of the Uniform Justice Court Act, the Towns of East Hampton, Shelter Island, Southampton, and Southold should designate Town or Village Justices to serve in the East End Regional Intervention Court including the Drug Court Hub, and adjudicate matters arising within the territorial jurisdiction of said court, now, Therefore

BE IT RESOLVED, That the Town Board of the Town of Shelter Island hereby consents to Town Justices Steven Tekulsky, Mary-Faith Westervelt, Karen Sartain and Eileen Powers serving as East End Regional Intervention Court Justices for the Drug Court Hub 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 the Hon. Andrew A. Crecca, District Administrative Judge, 400 Carleton Avenue, Central Islip, New York 11722; Hon. Steven Tekulsky, East Hampton Town Court, 159 Pantigo Road, East Hampton, New York 11937; Hon. Mary-Faith Westervelt, Shelter Island Town Court, 46 North Ferry Road, Shelter Island, New York 11964; Hon. Karen Sartain, Southampton Town Court, 32 Jackson Avenue, Hampton Bays, New York 11946 and Hon. Eileen A. Powers, Southold Town Court, P. O. Box 1179, Southold, New York 11971.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 509

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

BE IT RESOLVED, That the following 2021 budget transfers are hereby approved:

$50.00 from the A1330.200 Receiver of Taxes equipment account, and
$15.00 from the A1330.484 Receiver of Taxes office and miscellaneous account to the A1330.414 Receiver of Taxes postage account;

$300.00 from the A1410.418 Town Clerk records repair account, and
$1,000.00 from the A1990.400 Contingent account to the A1410.111 Town Clerk discretionary overtime account;

$20,000.00 from the A1990.400 Contingent account to a new A3510.410 ACO shelter and kennel fees account;

$18,000.00 from the A1990.400 Contingent account to the A3120.100OT Police Overtime account;

$19,500.00 from the A1990.400 Contingent account to the A1930.400 Judgments & Claims account;

$2,000.00 from the A1010.496 Town Board Association of Towns to a new A4560.400 Medical Director account;

$2,000.00 from the A1010.496 Association of Towns account to the A1010.484 Town Board office & miscellaneous account;

$52.00 from the A1220.492 Supervisor School, Travel, and Mileage account to the A1220.107 Supervisor Department Overtime account;

$59.00 from the A1356.484 Board of Assessment Review office and miscellaneous account to the A1356.104 Assessment Board Member account;
$282.00 from A6775.157 Assistant account to the A6775.492 Res Repair Travel account;
$2.00 from the A1110.484 Justice Court O&M account to A1110.104 Justice Court Clerk Overtime account;
$6,562.00 from the A6777.144 D. Binder account to the A6777.142 M. Fanelli account;
$7,000.00 from A6777.148 Drivers for New Bus account to the A6777.145 AAA Drivers account;
$9,731.00 from the A7020.102 Recreation Aides account to the A7150.100 Lifeguards account;
$290.00 from B3620.485 Building Dept. Car Maintenance account to the B3620.110 Building Dept. Intern account;
$185.00 from the B8010.485 Zoning Car Maintenance account to the B8010.484 Zoning Office & Miscellaneous account;
$1,000.00 from the A8160.408 Landfill maintenance account to the A8160.484 Landfill office and miscellaneous account;
$70.00 from the A8160.408 Landfill maintenance account to the A8160.201 Landfill recycling center roof account; and
$1,000.00 from the A8160.127 Landfill overtime account to the DA5140.167 Highway brush and weeds overtime account;
$9,000.00 from A1010.100 Town Board Councilman and dispersed as follows:
$6,000.00 to the A1010.484 Office & Misc. account, and
$3,000.00 to the A1010.494 Print & Advertising account;
$5,000.00 from the A1990.400 Contingency account to A1910.400 Unallocated Insurance account;
$500.00 from the A1010.100 Councilman account to the A1480.100 Green Options Clerk account;
$500.00 from A1010.100 Councilman account to the A3510.102 Deer & Tick Committee Clerk account; and
$5,000.00 from A8510.408 Smith Cabin Repairs account,
$1,000.00 from A8510.412 Dock Repair account, and
$1,000.00 from A8510.484 Office & Miscellaneous to A8510.485 Taylor's Island Shed account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 510

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

BE IT RESOLVED, That 2021 general claims numbered 1589 through 1712 in the amount of $90,221.03, 2021 highway claims numbered 194 through 205 in the amount of $14,925.78, and 2021 West Neck Water claims numbered 39 through 40 in the amount of $897.20, and Community Preservation Fund claim numbered 18 for $130.00 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:58 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised 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 2022.

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

The Supervisor reported as follows: this is like a standard amount we have always gotten and we've tried to put it towards ADA compliance or other issues where eligible to use it, in speaking with Barbara Bloom who handles this for us and her being in touch with the Community Development Block Grant people, they feel we should really do a little more homework and apply for some real money, some significant grants, there's terrific amounts of money available and we should be trying to take advantage of it, to which we will be doing but this money right now, we're recommending that we try to finish the handicapped access at the Legion Hall, we need it for part of that and then we're gonna use some of it for either the Police and Justice Hall; I talked to Barbara about this yesterday and I think that the grant that's open right now we're gonna try and use that right now so it opens it up for some other things; okay; next year, and she and I started to go over some things, you would like to say something Jim; no, I just said the community center across the way, we hope that after early November, mid November, by the time Veterans' Day is over and

we can start doing work over there, as most of you know, that building over there now is called the Community Center, Shelter Island Community Center, the Legion, it's no longer the Legion Center, the Legion just happens to be located in the basement, the last thing that we really have to do inside that building, remember a lot of work went on last year, we replaced the windows and getting rid of the ceiling and insulating the entire place and a lot of electrical work and good work that was done there, the last part of it is the front door, the steps which are in bad shape and the eaves that hang over the front of the building, so those are up there by a prayer so we would like to take the money that was designated last year for that purpose, we had money set aside for those purposes and we hope to get that done during that window end of December prior to January 1st of 2022, eventually what will happen too is we'll have an ADA walkway which will come up there so that if we get voting and you know we have voting situations where rather than use the school gymnasium, we can use the community center, we'll be able to easily get people in and out of that building, either in a wheelchair or handicapped in some way, but as Gerry would say, we've been thinking too small on block grants and we need to speak much bigger, we're taking lessons from our people on the south fork and what they're asking for, obviously much bigger towns but we have a tremendous amount of work to be done on the two buildings that lie north of here, both Justice Hall and Police Headquarters, they are old buildings that were built back in the 1930's that do not have access, ADA access and there are other requirements that we need to do in terms of bathrooms, hallways and things of that nature, so we've been slowly but surely working on security measures in Justice Hall, but now we need physical work on the buildings, remember we just finished all the brick pointing on both of those buildings just a year ago, so we're in pretty good shape as far as infrastructure stuff, we're very aware of it, but this thing will greatly help us update the buildings to our north so we're hoping that we put some real time and effort into there to come up with some pretty good plans in order to be able to use those possible grant funds for that purpose, thank you; thanks Jim, Amber; yeah, the whole purpose of this public hearing is required for the Community Development Block Grants to get public input and so I don't, generally each year we don't have much in the way of public input, but we do have input from, within Town departments, so the Senior Center had a few ideas for potential uses down at the Senior Center, a water filter needs to be installed down there; yeah; some carpeting and vacuum improvements, magnifiers, you talked about that I think Jim at one point; um hum; the elderly with sight impairments to be able to read, but the big one that we started to look at is PD and Justice Hall, we need to do the ADA compliance, so we need some architectural and engineering that needs to be done before we can proceed with applying for grants to get that work done but also before we can proceed to make changes to those buildings and so Barbara is checking with her contact, and they said that she thinks that we can use the 2022 money for architectural and engineering plans to be drawn up; yeah, right; so that would be; and we did the first part of it, we got the study of what the needs are; um hum; for the two buildings; and that's just gonna be part of a much larger plan that Amber, Jennifer, our um, Higham Mesiano, our grants writer, part time grants writer and Joe Finora, our Town Engineer are putting together a capital plan for the entire Town, so we're gonna be able to project out in our budget, we've actually started looking at that, what we're doing in 2022, what we plan on spending in 2023 and 2024, but we will carry that plan out further so that we are able to keep our assets in good condition, it's something that's been surely missed in the past and just like any homeowner, you don't want to turn your back on infrastructure of your house, and then suddenly, fifteen, twenty years later after not putting a nickel into the house, be hit with three or four major items that need to be repaired, and a Town this, even though it's a small town, it all adds up with marine assets and buildings, so we own quite a bit of stuff, we need to keep up on that, so that's what that's all about; good, thank you.

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 application of James Davies, 66 Ram Island Drive, for a wetlands permit to remove existing stair along westerly property line, redeck existing platform at bulkhead, adjust grades, construct new retaining wall, pool and patio partially within regulated area.

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

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

Councilman Colligan reported as follows: The CAC met on September 13th and we looked at both Myers and Davies applications, the committee approved the application with the following recommendations for the Town Board, move pool five feet closer to the house to minimize excavation of adjacent vegetative buffer, consider moving the pool outside of the hundred foot buffer,

submit more detail on retaining wall, materials for footings and depth, submit vegetative plan for proposed vegetation for fifteen foot wide non turf buffer, submit details of bluestone stepping block installation, add silt fence for new bluestone steps and removal of existing wood steps to reduce runoff, what will replace the wood steps in the vegetative buffer, add depth of pool to application.

Councilwoman Brach-Williams reported for the Planning Board, as follows:

15 September 2021

Re: Davies Wetlands Permit application

66 Ram Island Drive

Shelter Island, NY 11964

SCTM #700-9-3-5

Zone AA reverting to A, Near Shore Overlay District

We are in receipt of a Wetlands Application dated August 11, 2021 from James Davies of 66 Ram Island Drive prepared by Sherman Engineering and Consulting.

The applicant wishes to remove 211sf. of stairway along the westerly property line that is in the regulated area, re-deck a 217sf. existing platform that is immediately landward of the bulkhead, adjust grades, and construct a new retaining wall and a new swimming pool with patio that will be 90' from the wetlands line.

The applicant has received a letter of non-jurisdiction from the DEC dated March 12, 2021, noting that the bulkhead was in existence prior to August 20, 1977 and stating, "no permit is required to conduct regulated activities landward of that bulkhead."

Planning Board members visited the site on September 10, 2021 and made the following observations. The stairs slated to be removed were clearly in the regulated area and in the setback. The bulkhead appeared to be in good shape. We also noticed many irrigation hoses on the property and further learnt that the applicant or the previous owner had no irrigation permit.

The application proposes several mitigating measures including installation of an I/A septic system that will be sufficient for both the main house and accessory building. An automatic cover for pool, salt cell disinfection, a cartridge filter, a permeable patio and a non-turf buffer.

We have learnt that there were some code violations on the property resulting from the previous owner and the new owner, Mr. Davies, has corrected. We applaud him for doing that. We also wish the irrigation system be brought into compliance with the Town Code. This could be done by simply removing it or applying for an irrigation permit that would require the installation of a cistern to hold trucked in water. This is a very aquifer sensitive area and we believe as good planners we should work together with property owners and neighbors to protect this resource.

With the correction of the irrigation system, we are in favor of this application. Respectfully submitted,

Marcus Kaasik, Planning Board Member Reed Karen, 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: I'm Matt Sherman of Sherman Engineering, I'm here with Ian McDonald who is the project architect, we're representing James Davies and ___ the property owners of this project; I think the CAC issues are; yeah, I can address those, we had gotten a copy of that from them, so Mark Cappellino sent that over to me so we are able to address those, alright I've got a real quick slide show to go through, this isn't a terribly complex project, so we try to keep this fairly simplistic, the site is just over an acre, about an acre and a quarter, acre and an eighth, it's on Little Ram, Ram Island Drive is to the northeast, Coecles Harbor is to the southwest, the property has a really good slope to it, up at the Ram Island Drive area, it's at about a fifty foot elevation, it's got a gradual slope down to just about the middle of the property where this building here that's in the middle of the property is a detached garage with accessory sleeping in it, that, just between that and the main house is a parking area, that there's about a forty foot elevation, so we drop about ten feet from Ram Island Drive to that parking area, drops a little bit more where the main house is to about thirty-four feet in the area where the pool and the patio are being proposed to go, and you continue down and the drop off accelerates until you come down to a small bulkhead and then surface waters at Coecles Harbor, this just zooms in on the area that we're looking at, the area of interest, this here is the existing two story dwelling, I've got some photographs of that I can show you in a second, the pool that we're talking about is right here, it's sixteen by forty, it's about fifteen feet off of the house and that puts it at ninety feet from the wetlands boundary, so in order to get it outside of the hundred foot setback as the CAC was looking for, we would actually have to move it back about ten feet which puts it only five feet off of the house, and that's pretty darn close to the house, it's not, for safety sake, we like to have a decent size

walkway between the house and the pool, you're also gonna want to have an area to put some lounge chairs and sitting, different types of things that you could use this patio area between the house and the swimming pool, the Town code, the Wetlands code says that we can't put the pool or patio or anything like that seaward of this seventy-five foot line, which is the vegetative buffer, but that we can put those improvements in the adjacent regulated area, which is that seventy-five to hundred foot line, this is the area that we can do things, we just have to get a wetlands permit in order to do them, sideyard setbacks, this is A Zone, so we've got the twenty foot setback for the swimming pool and the twelve and a half foot setback for the patios, all of that complies with Town Zoning Codes, so we don't have to worry about anything with going before the ZBA for any type of variances from the code, this on that northwest side of the property, this is a stairway that was built without benefit of permit by a previous property owner, and I'll show you a photograph here in a second that the original stairway that was on the site came up through the middle of the property here, and at some point, in the not too distant past, somewhere between 2001 and 2010, that stairway was taken out and then the stairway along that northwest property line was put in, that's the stairway that we're looking to remove, to the CAC's comment or question about what we would be planning to do in this area once those stairs come away and we've got a photograph of this here in a second, it's a very heavily shaded area, so we would probably be looking to plant zoysia grass or something along those lines, something that's drought tolerant and doesn't need full sun, can thrive in a shaded area like that, this area down here, right just outside of the bulkhead, that's where we're proposing a fifteen foot wide non-turf buffer and again, we've got some slides coming up here in a second to kind of show what we're planning on doing for that area, and in the middle of that, right adjacent to where the dock comes into the bulkhead, we've got an existing deck, wood deck, and small wood retaining walls that are on this deck, that deck predates the Town Zoning Code, so there was no need to get, excuse me the Wetlands Code, so there was no need to get a wetlands permit when it was originally constructed, the DEC original permit for the dock as it exists now was from the early eighties, it's , the original or the full application information is no longer available at the DEC, so the, we don't know exactly what was entailed as far as the bulkhead, we've got a rough description of what the dock was permitted to be constructed then in eighty-two and at that time is when this patio, this deck was constructed; Matt, what's the length of that dock, just out of curiosity; I want to say one twenty but I don't have it on here, I can get that for you, I want to say it's one twenty I think; okay; Ian, you've got the survey with you don't you; I was just gonna check; and the other thing is, I heard you say the pool is sixteen feet wide by forty feet long, did you mention the depth on the deep end; yeah, on the shallow end it's four feet, on the deep end it's eight feet, now keep in mind where this pool is, is at a thirty foot elevation; yeah; a thirty-four foot elevation, excuse me; yeah; groundwater in this area is gonna be at about a two foot elevation, so one of the things that we look at when we're concerned about the depth of these swimming pools is that we're gonna, we don't want them to get close to groundwater, this thing's got no chance of getting close to groundwater; yeah; is there a diving board, Matt, is that why it's gotta be eight foot; no there's no diving board; no diving board; no, you know Al actually before I jump on that; no diving board; I didn't think so; and I don't have a dimension on the dock; thank you, but I can get that for you, excuse me, this is the 2001 aerial off of the Town's GIS and I did bring this up to show you what it was like with the, what the property looked like when the Town wetlands code came into play, you can see there's a dock, a boat being stored on that wood deck right there and you can see that stairway that's coming up basically through the middle of the property just to the side of, just to the north side of the middle of the property; so when they actually put that other staircase in at the northwest side of the property, did they remove those trees or something that, there looks it was treed in there; yeah, you'll see a picture of it, it's all still there, it's not much of a stairway; okay; it's not a substantial thing; it's like three foot wide type thing; yeah; okay; this is a more recent just to show the change from 2001 to 2010, that deck is still there, the stairway is gone, you can actually get a better feel for where the steep slope is in this location, this, in this photograph, because of the way that the brown grass is in that area, and then 2020, so basically, just a slightly different rendition of the last one, the 2010 one, this is the dock looking up at the house, the deck that we're talking about is this deck right here, right in front of you, bulkhead is in good condition as either the CAC or the Planning Board noted, just a little bit more detail on that so you can see what exactly it is that we're talking about on this deck, you can actually see in the background, that's the bottom of that stairway that's coming up the side here; yup; and there's the stairway from the top looking down; okay; so there's still plenty of trees around that area, it's about a three foot wide stairway; is that actually right on, pretty much on the property line; yeah, it's just on the inside of the property line, yeah; so that thing, that post to the right of that, that is the property line, I guess, it looks like it's; yeah, it's; a foot off of it; it's close, yeah, now this, I put this in here because I want you to see what the grade was outside of the house, this is the area where the patio and the pool would end up being, it's kind of hard to see, but that orange flag right there,

and there's another one right over here, that's where the pool would start, so between those flags and the house is where that patio area would be, you can see it a little bit better on this photograph, here's one of the flags, here's the other flag, so this is the are we're talking about for patio, right about fifteen feet, so pushing that pool back in ten feet would bring it to right like this area here and that's just way too close to the house, this is standing, if I were standing on the edge of the pool coping, getting ready to jump into the pool, this is what would be looking in front of me, so this is looking out toward Coecles Harbor, you can actually see the flag right there and right there that's showing the outside boundary of where that, the outside of the pool coping would be on the far side, and this is turning around looking back at the house from the exact same location, one of the questions the CAC had was on those stone steps that we're looking to put in the middle of the property leading down to the dock, this is what they would be, just slabs set in the native ground, looking at it from the other direction, the drystack retaining wall detail, this what we're looking at, it's gonna be a four foot maximum height, and this is gonna be just outside of the pool; on the waterside of the pool; yeah, right on the waterside of the pool; because the ground slopes off; yeah, right where the pool is, it goes from that thirty-four, thirty-two foot contour; right; it has a gentle slope and then it drops off fairly quickly, so that retaining wall is this retaining wall here that just kind of curves down along in front of the pool and the patio, it is eighty feet from the wetlands, so again, something that the wetlands code says we're allowed to build in this area, we just need to get the wetlands permit to do it, the, and this dark line that kind of comes down from the north and heads over toward the south, that's what the surveyor put on the survey as where the top of bluff is located at; okay; so it kind of comes up and crosses that retaining wall a little bit right up here to that northwest corner; is that gonna be a need to backfill, the backside of that; a little bit, yeah, because you're bringing that grade up on the backside a little bit, yeah, as far as the plantings are concerned and I know I'm gonna mess these up because I'm not a plant guy, but what we've got is a pink moulie, is one of the things they're looking to put in, a tufted hairgrass, that and then a blue joint, so those are the kinds of plantings they're looking to plant in that fifteen foot wide buffer on either side of the, that wood deck that's gonna be redone, so right now it's just turf grass, so you would have these non turf buffers, they're gonna help minimize any type of overland flow that's coming down off of that steep bank, this is gonna slow it down so that it doesn't spill over into the surface waters, it's also providing the same surface that the, any other non turf buffer would be of not having the tendency to use any type of treatment that you would otherwise use on turf grass, to a couple of the other CAC's points, we talked about the fact of moving the pool back in five feet, really it wouldn't get us out of the wetlands buffer, moving it in ten feet gets it too close to the house, the retaining wall, the non turf buffer, the stepping blocks, we can certainly add the silt fence along the areas that are gonna be disturbed where that, the existing stairs are gonna be taken out, that's not a problem at all, we've already got silt fence planned for the site anyway to be on the seaward side of where the retaining wall is gonna be constructed, the vegetation at that step, those stairs, again, probably zoysia grass would be at that location and then the depth of the pool being four feet on the shallow end, eight feet on the deep end, to the design of the pool, what we're looking for is a cartridge filter, when we looked at ___ from a wetlands standpoint, what's the best thing to make this thing work, so the cartridge filter so we're not losing water to backwash and to cleaning out of the filter system, an automatic cover, so that automatic cover is gonna keep in, reduce the overall loss, the overall water loss will be reduced by about ninety percent as with all these automatic covers and then the, using disinfection by salt cell, so it's an extremely environmentally friendly design for the pool, other than that we've got the patio around it is gonna be set permeable set in sand, so you're not adding anything, other than the pool itself, you're not adding any real impermeability to the site; is the customer agreeable to removing the irrigation system; yeah, they're planning to remove the irrigation; okay, so then the only other issues we have are the CAC, Howard did you want to talk; I just want to; could you come up here Howard; I'm Howard Johansen, I'm on the Conservation Advisory committee, Matt has addressed all of the seven points that we had, the only thing I didn't understand is these slate blocks going up the stairs, what is the riser of that, if you put in a step like this; they're solid blocks, six inches; the riser and the step; there is no riser; it's just a slab of stone; yeah; we take a little bit of the turf out, just a minimal amount, and then they put the slab of stone on the ground; what's the __ between one slab of stone and the next slab of stone; oh I see what you're getting at, can I see you ___ for a second; if you show that slide back; that's what I was gonna do, let me jump in here, thank you, excuse me, thank you; you're not together is what ____; more of a natural; it's more of a natural, yes; because the ___ is something that will help one from sliding all the way down the hill, yeah I have a spot for this ___ something you put your sneaker into instead of sliding all the way down; okay; so in between each one of those slabs, it'll just be grass; just be sloped grass down to the next one; okay; I didn't know if it was chopped in or what; yeah, so you see it's just it's that block and what it does is; because there's a slope there; exactly; not a steep riser step; so it gives you a couple of, a good

steady solid points, it's not an actual staircase; right; okay; you're not __ down the hill; right; we were concerned about the excavation between this, the steps, so okay ___ erosion control ___; yeah, absolutely; the other item we had was on the pool, we're very adamant about keeping; you may need to ___; ___ 25 foot space, the adjacent vegetative space, and whatever we can do to get that, I know __ permit but we're sort of moving away from permitting in that space at all costs, and so we said originally well maybe we could go like five feet from the house, and I know that's pretty close but don't forget that deck on the back of the house is a patio too, so it's not a drop off or anything, it would be like stepping down one step or something there, so I think we would be very strong in recommend bringing out of the hundred foot, twenty-five foot adjacent vegetative area; that's actually gonna be eighteen inches from the deck to the patio; okay, so you're gonna have to put a step on it, that's what it is now, right; no, it's only eight or nine; can you go back to that picture Matt where you show the side view where the uh; yeah; where it is and where it might be; the photograph, yeah, absolutely, okay, so right now is, this line here is approximately, and this is just me with a tape measure so this isn't a surveyor putting this out there, this is about fifteen feet from the front of this covered porch, from the front of the house, so if we brought in another ten feet, that would bring it approximately to this line right here; but what I was saying and what Ian brought up is that there is an eighteen inch step down from this patio; right now it's eight or nine inches, we are excavating the area and making it eighteen inches down; why are you excavating there, it's an architectural item, I don't want to get involved with that too much but, if you didn't excavate it, it would be fine, and just put the pool down further; it's creating a seating platform out of the deck and keeping ___ here on the deck looking out, you're looking over the furniture in front of you, it also allows us to, we're going to be taking some of that material that we are regrading right off the deck and that's what we're using to backfill the retaining wall we're building, it allows us to not have to build such a large retaining wall; okay; it minimizes the amount of work we have to do; so you're sacrificing footage in our adjacent vegetative buffer so people can see over their chairs; no because the elevation; is there any real reason for raising that grade between the pool, or taking out the grade between the pool and existing ___; we're not planning on raising the grade, we're dropping the grade; right; and then using the fill so we don't have to build as large a retaining wall and that way we keep the excavations smaller for that retaining wall and we're using the material on site and we're actually going to be pulling some material offsite when we excavate for the drywell rings, required drywell rings and for the future sanitary system and for the swimming pool; alright, I understand what you're doing but my point is we're trying to keep twenty-five foot adjacent vegetative area as much as we can cause that's the last filtering system we have before it goes into the bay; I'm a little confused the way you're explaining it Howard, the way you're explaining it I'm thinking the vegetative buffer at the bottom; no ___ the pool between the house ___; no I understand what you're saying but when you, the way when you're saying the buffer and to prevent it from going into the water, that's really the purpose of the vegetative buffer by the water; that's more for the runoff; yeah; what I'm talking about is the water in the ground coming down and picking up all the nitrates from the fertilizer running down, not from the surface water coming down; well; I think if we; to that point if you had less pool in this area and more grass, if you're saying it's nitrates from fertilizing the lawn, that's more nitrates fertilizing the lawn; ___; I know, we're not going to so the point that I don't want to belabor this too much but if we moved everything a hundred feet away; correct; we would be exceeding close to the house, the Town code says we are well within our rights to build within this seventy-five to a hundred foot line, what Ian has done is he's prepared a design plan that gives us a usable area here between the house and the pool and minimizes the amount of coverage within that adjacent area and on a third benefit, minimizes the height that this retaining wall needs to be so it's a trifecta of good in this design based on it being in this location, if we moved it closer to the house, that's not a usable area and that's a taller retaining wall, that just doesn't make sense from a design perspective; Ian can you explain, could you come up, the difference between the seventy-five foot buffer and the hundred foot buffer; so the seventy-five, it's my understanding from when the wetlands code was put into place, it was based, the seventy-five foot line is the most restrictive in its criteria that the DEC subjects an applicant to; okay; the Town at the time were up against contractors building or not main, building in that setback or leaving construction debris and not putting in silt fencing and so they decided to add this adjacent twenty-five feet buffer not to limit construction but so that if someone's building close to the seventy-five foot line that they, the Town Board, the Town would have some control, some more review and can ask for other things like the cartridge filter, salt water pool cells, automatic pool cover and permeable patios and other kinds of mitigation factors that you wouldn't be able to previously; good; but it was not to restrict construction in the adjacent regulated area, the seventy-five to a hundred foot setback, that was my understanding when the law went in 2000 of what the intent was; so it would be more of a regulated area, not restricted; it's a more regulated area to

require them, applicants come to you to, and you have the ability to ask for more mitigating elements to their design and the Town can then work, closely follow the items ___ ask the Building Department to go check in on the silt fencing and closely follow what's going on; okay; I mean if you were building a brand new house on the property, everything could go in that direction and it would all fit, the fact is that you're not, the house is remaining exactly where it is, the pool is going on the south side of the house that gets the sun pretty much all day long and it faces south and west so you're gonna get that constant sun, that's the difference; the house was built in '93 or '98 and that predates the wetlands code itself; right; it was sufficiently held back, there's a letter of non-jurisdiction on this property based on the existence of the early bulkhead that predated the DEC 1977 threshold; and then the new owners corrected all the code violations; they bought it and have been, there was numerous violations, a shed was too close to the property line, there was a four foot fence in the front yard privet hedge that was six feet or eight feet, it was actually just cattle fencing, but it was a violation since the house was built and that application was made to the ZBA in the early 2000s and the ZBA turned them down and still the fence wasn't cut back, so the new homeowner took care of that, there was some roofing without permits and we made sure that was obtained, there were some open permits that weren't closed out, we closed those out and now we're taking out those, the wood stair on the side of the property that was built without permits; Albert; I just in support of Howard's comments, maybe we need a Town Code revision to be respectful of the hundred foot area, I mean there's two red lines on every survey that we see and, in the midst of climate change, yeah this is on an elevated area but in some cases where in low land and maybe we need to start to respect that and look at seriously at the one hundred foot line, you know we have sea level rise, we know we're gonna put pressure on the salt water, fresh water interface with that, it's gonna come with that, this is obviously an elevated thing Matt as you said thirty-four feet but nonetheless, it's something to, I think we need to, should be considered and be respectful, we look at those lines as ah they're just seventy-five, hundred foot, but maybe we need to start to look seriously at that one hundred foot line, you know some buildings, there is no chance to do that in their locations, I mean we just had one recently, what was it the Bang/Gleich down in Turkem's Neck, it was a very odd piece of property that was on the water but they did move the house back, they did shift it in a little bit and they made some concessions, but if we can get out of the hundred foot line, I think that would be prudent and smart; one of the reasons I think that we have that hundred foot line is essentially for exactly what Albert is talking about in that it gives the Town Board the opportunity to consider factors like what the height of the property is, you know, what the height level is, the property, how close it is, what the uniqueness of that particular property, you know what characteristics should be considered, I think that's part; Bob ___ what you're setting precedent, to me each case is an individual; well yeah because specifically with property, because each piece of property is unique, one other thing in this particular thing, I know, I don't know specific, there's no specific regulations with regard to inground pools, I know with regard to above ground pools though, the NFPA recommends they be at least ten foot from the house and most, a lot of municipalities will have rules as to how close a pool can be to a structure, most are in the twenty foot range; okay, thank you; what is the, I'm digressing a bit, whatever, what is the accessory structure, what's that comprised of; there's a one bedroom and a sitting area above the garage; above the garage; ___; what is the I/A system that's going in; it's gonna be a six bedroom system, ___ seven and a sixteen foot deep leaching pool; okay; yeah hi, I'm a little concerned about this because I'm just looking at the wetlands code here and it says it's the policy of the chapter that there shall be no net loss of wetlands due to development or other activities, and this is not like just squeezing a pool in, this is an entire construction of a retaining wall and everything, it's more construction than I think this policy of the Town code permits for; I think it's like five feet; this is, this seems like it's gonna become a habit and I'm not sure it's a good idea; first of all it's not in the wetlands, second of all I think it's like a five foot into the restricted area, isn't it; about ten feet into the restricted area and then the; the retaining wall is going on the seventy-five, it's going right up the seventy-five foot mark on look on those plans I just saw, that's very close to the seventy-five foot and going the full length of the property almost, so I'm not sure we understand the full, the full impact that this is having in this area; and to address Pam's point, the retaining wall that's going side to side of the property is about eighty feet from the wetlands, so the wetlands are eighty feet seaward of this so we're, she has got a very good point that any of these applications can't diminish or reduce the wetlands on site, this work is eighty feet away from the wetlands on site, so it by no means, in any way shape or form diminishes the wetlands, it's eight feet away; but it's still within the wetlands boundary of the Town code of the hundred feet; no it's in the regulated area, the regulated area ___ boundary are two completely different things; yeah; so where is the regulation here, I just need, that's my question, if you allow a retaining wall to go the expanse of the property that's not any regulation, that's not, I don't see that; I'm not really sure what the question is; I'm a little confused; do you know what the question is; yeah, I think what she is asking is there a Town

code requirement or something that allows someone to put a retaining wall across their property, and there is no, there is no code prohibiting that; it's the regulated area for what intent then, what's the regulation that we're imposing in this regulated area of twenty-five feet off of the vegetative buffer because if we don't define that, I don't know how you can go forward with anyone who is trying to do anything within that twenty-five foot regulated area; there's not a particular regulation within that twenty foot area, or within the twenty-five foot adjacent regulated area, essentially the regulation is that if you're going to develop anything in that area you've got to come before the Town Board for the Town Board to analyze the situation and determine for that particular project whether what you're doing is appropriate; again I have ask then what is regulated within that regulated area; again I'm not sure I understand what the question is, the only part; the regulated area, it's been designated as a regulated area for what purpose; so then you have to come; I mean Mr. McDonald just said that okay, the guys used to make construction areas and leave debris in that area and then that's why this code became what it is but then what's the regulation in that area, that's my question; well the only regulation is that it requires you to come here for this, for this permitting process, there's not a particular, you know you must do x or you must do y if you are constructing something within that area, it's just that you need to come before the Town Board and have them review your project and have then determine if you need to make any types of concessions or if you need to restrict the development somehow or another but it's ultimately up to the Board, there's not a specific regulation; and the purpose that line would be to do what, it really sounds like there's an empty space then in our Town code again, that's like wow, that doesn't seem to be going anywhere; the way I see it is the DEC regulates it to seventy-five feet, the Town chose to regulate it to a hundred so that if they feel that they need to be a little stronger than the DEC, then they can impose more restrictions, that's __; alright, so I'm wondering what is gonna precipitate that kind of action to happen then; well it has happened in the past; what kind of construction is going to be allowed that that would precipitate for you then to regulate it further, where's the drawing line on this, what are we regulating; well it has happened, we've have people; enjoy the view, to add a retaining wall and a pool and stairs and; we've had applicants move houses back further, we've had them change their building footprint, we've had them change plans for their projects to get out of that buffer zone, so it, again this is why I asked about the precedent because each project is separate and you have to look at each one individually; so regulation in this area for this applicant doesn't apply; it's not that the regulation doesn't apply, we're looking at the proposed plan and what detrimental effect would it have in that twenty-five, that additional twenty-five feet; it's similar to site plan review where you have to come before the Board and have, I'm just looking at like what has, requires a permit within the adjacent vegetative buffer, so if you've got an existing structure on a lot without a bulkhead and you're reconstructing it but not expanding it you still have to come for a permit review just so that there's another set of eyes on it and this is what I call the horse trading comes into play, like it's not that you're not allowed to do it, it's just that we get to review the site plan and see whether or not we have any overall concerns with it and if we do, then we ask the applicant to do something different before we grant the permit; Howard; the DEC made this rule probably twenty, twenty-five years ago and I think they've allowed other towns to be stricter on these, all of the Hudson and all of New York State and I think we, well I don't know about the Town, it was set up by the Town but, and I agree, every site is different and we have to look at each one and we do on our committee, we don't take it as a ___ you know plans for everything, but in this case, it's a pool, maybe cut, instead of twelve foot, make it ten foot, you know, you're cutting less of our adjacent buffer out vegetative buffer, whatever we can do to save as much as we can, and we didn't address, there was a pergola on that area too, that can be brought back I would think completely; if we bring it back closer to the house, there's parts competing with the roof over the porch and the pergola is open, it doesn't like catch water, water goes right through it, so why would I want to move one roof structure very close to the next when there's ample room to be open and it's not a roof structure, it's a lattice structure, so I'm not quite sure what shifting the pergola, what benefit there is in shifting the pergola; that the footings wouldn't be in the twenty-five foot adjacent vegetated area, I just think the Town when you consider these things that you know; I think Albert makes a very good point to Howard that we need to really go back and look at the hundred foot, seventy-five foot, what was the intent and what is the purpose and how to we address it; I mean it's gonna be an issue, ___, it's gonna be an increasing issue that we're gonna need to address, I mean basically the Davies want what they want, there ___ logistics, they want their pool there, they want the patio, the retaining wall is necessary with the slope, the pergola, they like where it is, the day needs to come where we can restrict those things; right; in given locations; yeah, restrict it for the better good of the ecology of the area, not in just for the sake of doing it; like you said, that's certainly within your power at this time, if you look at something and decide that there's gonna be some actual detrimental effect; right, which is I think the way we've been doing it; yeah; not just because it happens to fall within one side of a line or another, right

now you're required to look at it and determine whether or not there's an actual problem created by something; my suggestion is gonna be that we act on this one and make this a priority on our to do list; yeah, it's code section 129-2, that's what we should all review; just in closing, Pam, when these committees meet, they are extensions of the Town Board, these are people, like on the CAC that are deeply committed to the environment and that's why they are the Conservation Advisory Council and they make recommendations as they did in that almost every application they make recommendations back to the Town Board, to the builders, to the architects and to the property owners, a lot of this negotiations, a lot of it is, you, do we get everything that we ask for, no, but I will tell you that this Town Board has been very sensitive to the fact that we are trying to move that pendulum back and become more conservative but as the Supervisor just said, every one of these projects is unique and they are different, the fact that people come to you know, removing staircases that are on property lines, the fact that they're putting a retaining wall up and spending that kind of money to prevent water runoff, the fact that they're limiting a size of a pool, putting a pool cover on, the fact that they're putting in an I/A system, there are a lot of things that are asked, for them to spend additional amounts of money and time and energy in order to conform to try to make it the best possible scenario and still be fair, now not everybody views fairness the same way, some people say that there should be no negotiation, that seventy-five foot should be sacrosanct and that twenty-five foot buffer, vegetative buffer area, there should be no exceptions, there is no room for negotiations, if that's the way you wanna go, then the Town code has to be changed and we would, but be prepared that, there are properties because of their unique shape, size, elevations and their proximity to wetlands that there's a lot that goes into this, we could never as a Town Board do this on our own, we rely very heavily on these committees to be able to make intelligent recommendations back to us and to try to negotiate in fairness to try to come up with a plan that can meet the needs, again, is that pendulum moving, I believe it is, has it moved as far enough as some people would like, the answer would be know, you could have a change in the Town Board in the next matter of couple of months, it'll be interesting to see how the new Town Board responds to these changes and whether they're willing to become more strict in reference to the seventy-five and the twenty-five foot vegetated buffer going out to a hundred feet so that remains to be seen, thank you; okay; the only other thing is I didn't see the CAC memo so can you forward that at some point; sure; yeah I've just been looking and I can't find it so when we start to consider this; I'll make you a copy before you leave; okay, thank you; thank you all; thank you.

The Supervisor declared the public hearing closed at 5:50 p. m. and called to order the public hearing to be held as advertised on the application of Daniel W. Rosenberg, 21 Lakeview Drive, for permission to install a stake, mooring and pulley system in Menantic Creek at Lesser Street, 75 feet west off shore into 3 feet of water at a location designated as latitude 41.058806° north and longitude 72.340904° west.

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

The Supervisor called for the report of the Waterways Committee which was as follows: Councilman Colligan gave the following report: WMAC met on September 13th, voted on this application and approved it; okay; there was no major problems with this; that's the big hill; yeah almost down; Jim, I sat in on that meeting and one of the comments I heard from one of the members was oh there's plenty of room for a stake, mooring and pulleys there, but there's not plenty of room for parking there, so is that part of the discussion when they; you know, that's a good question, don't know whether that; I mean this only the second one there so obviously there's enough parking for two but you know to make that statement that there's plenty of room there for more, I think we have to make sure that we, that's part of the formula going forward that there's room for parking; there would be parking for more than two cars there, I can't imagine; yeah; well it would be in front of people's houses, it wouldn't be; yeah; you know; it's a steep hill and it comes up close to the area off the road, pretty, it's steep; the same thing is true of that, if everybody, the Lagoon in Silver Beach, if all ten boats go out on the same day, and all three pulley moorings, you have thirteen cars in there, it doesn't ___ thirteen cars but that rarely happens, have we ever had five or six cars down there, yes, but I think it's something that I'll bring up in the future; okay; so you said the vote was unanimous; yeah, yes.

The Supervisor declared the public hearing closed at 5:53 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law concerning the Tax Override for the year 2022.

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

The Supervisor reported as follows: I just want to make a little statement on this, the State puts a cap of two percent on the budgets and every year I wonder how these other towns stay under the two percent when I know with our small budget how hard it is to do and I think the reality is, we have a very true realistic honest number, we don't fudge our revenues, we don't lessen our expenses and then have huge capital funds or fund balances that we take it from after the fact, our numbers are real, they're accurate, we try to keep it as low as we can, right now we're looking at three point nine percent increase, and quite honestly, that's as close to two percent I think as we can possibly get an address the needs of the Town, so I know that sometimes you'll hear people say well how come we always go over the tax cap and I think it's because we're being honest and we're doing as bare bone a budget as we can, I don't see any fluff in here in our proposals and ___; yeah, I agree, I think it's a good budget; okay.

The Supervisor declared the public hearing closed at 5:57 p. m. and called to order the public hearing to be held as advertised on the application of Steven Rosamilia, 22 New York Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at the Stone Wall Town landing in the space formerly occupied by the Stefan C-3313 mooring located at latitude 41.8570° north and longitude 72.31273° west.

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

The Supervisor called for the report from the Waterways Committee of the Town Board, which was as follows: Councilman Colligan reported as follows: Kristina, did we approve that one awhile back, yeah the meeting before last, right; yup; we did, okay, I was pretty sure, that's a new application for a private mooring, it went through unanimously except Mike Anglin who is the installer, so I believe it went through like six zero one or five zero one, and those coordinates are correct.

The Supervisor declared the public hearing closed at 5:59 p. m. and reconvened the recessed public hearing on the proposed Local Law Charitable noise.

Some views expressed were as follows: this is one that we had the hearing and the discussion came up as to whether the charitable event should be the sole event on the property that night or the primary event and we had a discussion that night, we had a discussion at work sessions, and this is how we decide on it, I'll read the part, in order to qualify for the exception, the charity must be a registered tax exempt corporation, a New York State registered charity or a municipal corporation or department or other Town approved function and the principal purpose of the event must be support of the charity, so two things, one, we added the other Town approved function because it came up well what if somebody's doing a fundraiser for somebody who had a horrific accident or there's a medical need for a family, so that would something that the Town Board could approve and the second one was we went with the principal purpose of the event as opposed to the sole purpose of the event; no and the event must raise, I think we said a thousand dollars; yes; for the named charity, the only thing it said about this is that a lot of times we get them late, we seem to, you know people come in like, yeah the event's this weekend, is there some way we can put a suggested time limit in like two, fourteen days prior to the event or ten days prior to the event, it just seems to me like a bunch of them, oh by the way, we're meeting Tuesday, it's Friday night, we're doing this event, it really kind of puts you in a, I think if you know you're gonna have a charitable event, then ten days prior to, fourteen days prior to the event, you should have the application in for approval or before then; yeah, I don't know, has that been an issue, getting late applications; now we don't, not this time of year; yeah, alright; you do in the spring and early summer; I'd rather we not put it into the law; okay; but we in policy try and do that and applicants could always risk that they'll get turned down if they give it to us too late; yeah, if they come Tuesday and want it for Friday, that's really pushing it; yeah, and that's happened, I remember on two occasions where that happened; maybe the first one that we turn down because of that reason will prompt everybody else to follow suit; exactly; the one thing I just want to remind the Board about is with regard to the thousand dollar limit that that would eliminate events like the thank you event that you just had because they didn't really raise any money and that's something that you might at some point in the future you might want to consider; you're talking about the volunteer celebration down at Wades Beach; right because you weren't raising any money there, so it wouldn't fall within the exemption; yeah, but we still had to apply for a, in the permit we still asked that we were gonna have live band there, but again, we weren't playing at night, we were playing from

two to, two thirty to six thirty at, in the afternoon; oh it says municipally sponsored or sanctioned functions or charitable events; yeah with the; that was municipally sponsored; but it would still have that thousand dollar limit; no, noise generated by municipally sponsored or sanctioned functions or charitable events designed to promote blah blah blah, so it's or sanctioned functions or charitable events; does that, and that one did promote; if any event that goes on to be the monetary thing was a separate paragraph though I believe; yeah it is, towards the bottom; yeah I know, I just read it that way; okay.

The Supervisor declared the public hearing closed at 6:02 p. m. and reconvened the recessed public hearing on the proposed Local Law entitled Revise Town Code Re Home Improvement Contractors.

The Supervisor reported that we had the public hearing on it, we opened it to couple of conversations during work sessions, we noticed contractors to come and speak, we had no comments to come and speak, so I think we're gonna close the hearing on that one.

The Supervisor declared the public hearing closed at 6:04 p. m., and reconvened the regular Town Board meeting.

RESOLUTION NO. 511

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

"Whereas", Daniel W. Rosenberg, 21 Lakeview Drive, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Menantic Creek at Lesser Street, 75 feet west off shore into 3 feet of water at a location designated as latitude 41.058806° north and longitude 72.340904° west, and

"Whereas", a public hearing was duly held on the 22nd day of October, 2021, for all interested persons to be heard in favor of or in opposition, and

"Whereas", all interested persons were heard in favor 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.

RESOLUTION NO. 512

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

"Whereas", a public hearing was duly held on the 22nd day of October, 2021, 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. 9 - 2021 entitled LOCAL LAW 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 2022 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 2022 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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 513

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

"Whereas", Steven Rosamilia, 22 New York Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at the Stone Wall Town landing in the space formerly occupied by the Stefan C-3313 mooring located at latitude 41.8570° north and longitude 72.31273° west, and

"Whereas", a public hearing was duly held on the 22nd day of October, 2021, 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.

RESOLUTION NO. 514

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

"Whereas", a public hearing was duly held on the 1st day of October, 2021, on a proposed Local Law entitled REVISE TOWN CODE RE HOME IMPROVEMENT CONTRACTORS, and continued on October 22, 2021, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 10 – 2021 entitled REVISE TOWN CODE RE HOME IMPROVEMENT CONTRACTORS, to wit:

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

SECTION 1. Amendment

Chapter 79 of the Town Code is hereby repealed and replaced as follows:

ARTICLE 1

§ 79-1. Title

This section shall be titled Home Improvement Contractors.

§ 79-2. Purpose

It is the intent of this section to establish licensing and standards for home improvement contractors in the Town of Shelter Island.

§ 79-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BUILDING INSPECTOR

The Building and Zoning Administrator of the Town of Shelter Island or any duly appointed Building Inspector or code enforcement officer of the Town of Shelter Island.

BUSINESS

Includes occupation, profession, trade, craft or any other calling for hire.

CONSUMER

An individual who buys or leases or agrees to buy or lease consumer goods or services or credit, including a co-guarantor or surety.

CONTRACT

An oral or written agreement contained in one or more documents for the performance of work and includes all labor, goods and services.

ENGAGES

The undertaking, offering to undertake, solicitation or agreement to perform a contract.

HOME IMPROVEMENT (PER NY Business Law Article 36-A Section 770 (3))

The repairing, remodeling, altering, converting, or modernizing of, or adding to, residential property and shall include, but not be limited to, the construction, erection, replacement, or improvement of driveways, swimming pools, siding, insulation, roofing, windows, terraces, patios, land-

scaping, fences, porches, garages, solar energy systems, flooring, basements, and other improvements of the residential property and all structures or land adjacent to it. "Home improvement" shall also mean the construction of a custom home, the installation of home improvement goods, the furnishing of home improvement services or the provision of landscaping services. "Home improvement" shall not include:

G. The sale or construction of a new home, other than a custom home as defined in this section;
H. The sale of goods by a seller who neither arranges to perform nor performs, directly or indirectly, any work or labor in connection with the installation or application of the goods;
I. The sale or installation of appliances, such as stoves, refrigerators, freezers, room air conditioners, dishwashers, clothes washers or dryers, which are designed to be removable from the premises without material alteration thereof;
J. The sale or installation of decorative goods or services, such as draperies and carpets; or
K. The performance of repairs, replacements, or other services pursuant to an express or implied warranty, or a maintenance agreement as defined in section three hundred ninety-five-a of this chapter.
L. An owner that performs his or her own home improvement work.

HOME IMPROVEMENT CONTRACT (PER NY Business Law Article 36-A Section 770 (6))

An oral or written agreement for the performance of home improvement, between a home improvement contractor and an owner, and where the aggregate contract price specified in one or more home improvement contracts, including all labor, services and materials to be furnished by the home improvement contractor, exceeds five hundred dollars.

HOME IMPROVEMENT CONTRACTOR (PER NY Business Law Article 36-A Section 770 (5))

A person, firm or corporation which owns or operates a home improvement business or who undertakes, offers to undertake or agrees to perform any home improvement for a fee and for whom the total cash price of all of his home improvement contracts with all his customers exceeds one thousand five hundred dollars during any period of twelve consecutive months. Home improvement contractor does not include a person, firm, corporation, landlord, cooperative corporation, condominium board of managers, joint tenant or co-tenant that owns, in whole or in part, the property to be improved.

LICENSEE

A person permitted to engage in the home improvement business under the provisions of this chapter.

OWNER

Any owner of residential property, tenant or any other person who orders, contracts for or purchases the services of a home improvement contractor, or the person entitled to performance of the work of a home improvement contractor pursuant to a home improvement contract.

PERSON (PER in § 37 of the General Construction Law of the State of New York)

An individual, firm, partnership, corporation or other entity.

PLACE OF BUSINESS

Any shop, residence, place or premises from which a home improvement business is transacted.

RESIDENTIAL PROPERTY

Any property used, intended or otherwise appropriate for human habitation.

§ 79-5. License required.

No person shall conduct or engage in any home improvement business without first obtaining and maintaining in effect at all times a license therefor from the Building Inspector, as hereinafter provided.

§ 79-6. Exceptions.

No license shall be required under this chapter in the following instances:

L. An individual who performs labor or services for a home improvement contractor licensed under this chapter for wages or salary.
M. A member or partner of a firm, partnership or other entity which is a licensed home improvement contractor under this chapter, who performs labor or services for such licensed home improvement contractor.
N. A stockholder or officer of a corporation which is a home improvement contractor licensed under this chapter, who performs labor or services for such licensed home improvement contractor.
O. A plumber, electrician, architect, professional engineer or any other person who is required by state or Town law to attain standards of competency or experience as a prerequisite to engaging

in such craft or profession and who is acting exclusively within the scope of the craft or profession for which he is currently licensed.

P. Any home improvement where the aggregate contract price for all labor, materials and other items is less than $500. This exclusion does not apply where the work is only part of a larger or major operation, whether undertaken by the same or different home improvement contractor, or in which a division of the operation is made in contracts of amounts less than $500 for the purpose of evasion of this chapter or otherwise.

Q. Employees of any federal, state or local government, or any agencies thereof, or of a state or local authority, as that term is defined in §2 of the New York Public Authorities Law and specifically to include the Shelter Island Highway Department and Department of Public Works, provided that such employees are performing the work on behalf of a government entity or public authority. This exemption shall not apply to any work performed by a person, as that term is defined in this article, who is not an employee of any federal, state or local government or any agencies thereof or of a public authority even if such work is performed on behalf of or pursuant to an agreement with a governmental entity or public authority. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. IV).

R. Employees of and on behalf of any gas or electric corporation, waterworks corporation or telegraph and telephone corporation, provided that such employees are performing the work on behalf of a gas or electric corporation, waterworks corporation or telegraph and telephone corporation. This exemption shall not apply to any work performed by a person, as that term is defined in this article, who is not an employee of a gas or electric corporation, waterworks corporation or telegraph or telephone corporation, even if such work is performed on behalf of or pursuant to an agreement with a gas or electric corporation, waterworks corporation or telegraph and telephone corporation.

S. Maintenance work by bona fide employees in an industrial, commercial, institutional or other such establishment within the building or property limits of the employer unless provided otherwise pursuant to this chapter or regulations promulgated hereunder.

T. An architect, professional engineer or any other person who is required by state or local law to attain standards of competency or experience as a prerequisite to engaging in such profession and who is acting exclusively within the scope of the profession for which he is currently licensed pursuant to such other law. Issuance of a certificate of competency by any other federal, state or municipal agency shall not constitute a license issuance and all such contractors holding such certificates shall be subject to this article.

U. A contractor engaged in the field of home maintenance or decorating.

V. Any retail clerk, clerical, administrative or other employee of a licensed home improvement contractor who transacts business from an establishment.

§ 79-7. Term of licenses

All licenses shall be valid for a period of one year from the date of issuance thereof. Subsequent renewals shall be for periods of one year.

§ 79-8. Renewal

Licenses must be renewed annually at least one month prior to the expiration of the existing license. Upon renewal, an applicant must submit proof that they remain in compliance with requirements of this chapter and that they are not otherwise in violation of any provision herein and that they have completed all required training.

§ 79-9. Application Requirements

F. Applicants for licenses or renewals thereof shall file a digital signed and verified application with the Building Inspector. Where the applicant is a corporation, the application shall be signed and verified by an officer thereof. When the applicant is a firm, partnership or other entity, the application shall be signed and verified by member or partner thereof.

G. Applications shall set forth the following information:

7. The name, trade name and business address of the applicant.
8. If the applicant is an individual, his name and residence address; if the applicant is a corporation, the names and residence addresses of the officers thereof; if the applicant is a firm, partnership or other entity, the names and residence addresses of the members or partners thereof and a copy of the certificate of incorporation.
9. Whether or not there are any outstanding liens or judgments against the applicant.
10. Such other reasonable information as the Building Inspector may deem necessary or advisable to facilitate the purposes of and enforcement of this chapter, including but not limited to the following:

e) The names and residence addresses of any employees of the applicant.

f) The names and residence addresses of the stockholders and directors of a corporate applicant.

g) Whether or not the applicant or any member, partner, officer, stockholder or employee thereof ever engaged in a home improvement business under another name or for another person and, if so, reasonable information with respect thereto.
h) Information relating to the financial responsibility and character of the applicant

11. A Federal Tax Identification Number or New York State Sales Tax Identification Number, as applicable. If such information is not provided, a license will not be issued.
12. Registration information for each and every vehicle to be utilized in their operations on Shelter Island.

H. All applicants must submit proof of liability insurance with a limit of at least $300,000 naming the Town of Shelter Island as an additional insured.
I. All applicants must submit proof of worker's compensation insurance.
J. Any applicant that will be applying fertilizer pesticides, fungicide, herbicide, rodenticide or any other chemical agent must provide proof of licensing by annually required Federal, State or County agency (FEMA, DEC, DOH etc.) any required training or continuing education including Suffolk County Turf Management training.

§ 79-10. Issuance of license.

After the filing of an application for a license or renewal thereof and payment of the required fee, the Building Inspector shall examine the application and make such investigation as he deems necessary or advisable. Upon completion of same, the Building Inspector shall issue a license unless he finds that the applicant is unfit or undesirable to carry on such home improvement business or is incapable of properly conducting such home improvement business, in which event he shall deny the license.

§ 79-11. Appeal of Denial

C. The Building Inspector shall notify the applicant of his denial of an application for a license. Service of such notice shall be made personally or by certified mail, addressed to the address set forth in the application for a license. Such notice shall be in writing and shall specify the ground or grounds for the denial. The notice shall include or be accompanied by a statement that the applicant may request an appeal hearing before the Town Board by filing a written request therefor with the Town Clerk. The Town Clerk shall give the appealing party at least five days' written notice of the time and place of such hearing.
D. At the time and place set for the hearing upon the appeal from the determination of the Building Inspector, the Town Board shall give the appealing party and any other interested party a reasonable opportunity to be heard in order to show cause before said Board why the determination of the Building Inspector should not be upheld. The decision of the Town Board shall be in writing, shall specify the ground or grounds upon which the decision is based and shall be final and conclusive.

§ 79-12. License Fee.

H. A fee as determined from time to time by Town Board resolution shall be paid to the Town of Shelter Island upon the filing of each application for a license or any annual renewal for the purpose of defraying expenses incidental to the processing of said applications and the enforcement of the provisions of this chapter.
I. Any license issued hereunder shall expire one year after its date of issuance, unless revoked as hereinafter provided.
J. Issuance of a license shall create no presumption that the licensee is in compliance with the provisions of this chapter nor that the licensee is entitled to the license.
K. No license issued under this chapter shall be transferred or assigned to any person or used by any person other than the licensee to whom it was issued.
L. A license issued hereunder may not be construed to authorize the licensee to perform any work or engage in any kind of business which is reserved to qualified licensees under separate provisions of state or Town law.
M. A license issued hereunder shall at all times be posted conspicuously in the place of business of the licensee.
N. Every licensee shall, within 10 days after a change of control in ownership or of management or of address or of trade name, notify the Building Inspector of such change in writing.

§ 79-13. Conditions of License

L. No license issued hereunder shall be assignable or transferable.
M. Failure to make application and pay the required fee for a license renewal prior to the expiration date of said license shall render the license null and void on the expiration date. Compliance with the provisions of this section shall entitle the licensee to the renewal of his license, provided that such license has not been suspended or revoked by the Director prior to the expiration date.
N. The death of an individual who holds a valid license issued pursuant to this chapter shall terminate such license.

O. A license issued pursuant to this chapter shall be conspicuously posted in the place of business of the licensee and upon all vehicles operated by the business.
P. Each licensee shall, within seven business days after a change of address or trade name, notify the Office, in writing, of such change.
Q. Licensee must immediately report the Shelter Island Building Department any lapse in insurance coverage.
R. All advertising for home improvement contracting shall contain the license number of the home improvement license issued pursuant to this chapter.
S. Licensees must ensure all vehicles comply with applicable laws and regulations.
T. No licensee shall permit an unlicensed driver to operate any vehicle within the Town of Shelter Island.
U. No licensee shall permit an uninsured vehicle to operate on Shelter Island.
V. All vehicles used by the licensee or its employees must display a sticker with the licensee's license number on the rear bumper.

ARTICLE II – DISCIPLINARY PROCEDURES

§ 79-20. Licensing Review Board.

E. Formation and composition.

6. There is hereby established in and for the Town of Shelter Island a Licensing Review Board, consisting of either three or five members, as may be determined from time to time by the Town Board, who shall be appointed by the Town Board to serve at the pleasure of the Town Board. In no event shall a member serve for more than two years unless reappointed by the Town Board.
7. The Town Board shall designate one member of the Licensing Review Board to serve as Chairman thereof.
8. A majority of the members shall constitute a quorum of the Licensing Review Board.
9. Members of the Licensing Review Board shall be residents of the Town and shall serve voluntarily without salary or compensation.
10. At least one member of the Licensing Review Board shall be a home improvement contractor who resides and has his place of business in the Town.

F. Function. It is the function of this Board to hear and determine any complaint or grievance that may be the basis for recommendation to the Town Board for suspension or revocation of a license or that may be the basis for suspension of a license by the Licensing Review Board, upon a finding that the licensee has been guilty of any one of the following:

17. Fraud, misrepresentation or bribery in securing a license.
18. The making of any false statement as to a material matter in any application for a license.
19. The person or the management personnel of the home improvement contractor are untrustworthy or not of good character.
20. The business transactions of the home improvement contractor have been or are marked by a practice of failure to timely perform or complete its contracts or the manipulations of assets or accounts or by fraud or bad faith or is marked by an unwholesome method or practice of solicitation of business from owners.
21. Failure to display the license as provided in this chapter.
22. Failure to comply with any demand or requirement lawfully made by the Building Inspector, Licensing Review Board or Town Board.
23. An agent or employee of a licensee has been guilty of an act of omission, fraud, misrepresentation, and the licensee has approved or had knowledge thereof.
24. Violation of any provision of this chapter.
25. Abandonment or willful failure to perform, without justification, any home improvement contract or project engaged in or undertaken by a home improvement contractor; or willful deviation from or disregard of plans or specifications in any material respect without the consent of the owner and, where required, from the Building Inspector.
26. Making a substantial misrepresentation in the solicitation or procurement of a home improvement contract or making any false promise of a character likely to influence or persuade or induce.
27. Any fraud in the execution of, or in the material alteration of, any contract, mortgage, promissory note or other document incident to a home improvement transaction.
28. Preparing or accepting any mortgage, promissory note or other evidence of indebtedness upon the obligations of a home improvement transaction with knowledge that it recites a greater monetary obligation than the agreed consideration for the home improvement work.
29. Directly or indirectly publishing any advertisement relating to home improvements which contains an assertion, representation or statement of which is false, deceptive or misleading, provided that any advertisement which is subject to and complies with the then-existing rules, regulations or guides of the Federal Trade Commission shall not be deemed false, deceptive or misleading; or by any means advertising or purporting to offer the general

public any home improvement work with the intent not to accept contracts for the particular work or at the price which is advertised or offered to the public.

30. Willful or deliberate disregard and violation of the building, sanitary, fire and health laws of the Town, county or state.
31. Failure to notify the Building Inspector of any change or control in ownership, management or business name or location.
32. Conducting a home improvement business in any name other than the one in which the home improvement contractor is licensed.

G. Procedure.

5. The Licensing Review Board shall have the right to determine whether or not it will take jurisdiction of any complaint submitted to it. In the event that it shall deny jurisdiction, such determination shall be in writing, and a copy shall be mailed to the complainant.
6. If the Licensing Review Board, upon reasonable cause, should believe that any licensee has violated any of the provisions of this chapter, such Board shall have the power to make such investigation as it shall deem necessary or advisable.
7. There shall be no suspension of a license or recommendation that a license be suspended or revoked until after a hearing had before the Licensing Review Board, upon written notice to the licensee of at least 10 days. Such notice shall specify the time and place of the hearing and the ground or grounds which will be the subject of the hearing, and it shall state that the purpose of the hearing is to determine whether the license should be suspended and whether a recommendation of suspension or revocation should be made to the Town Board. Such notice shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee. The licensee and any other interested party shall be given a reasonable opportunity to be heard. A stenographic record of the hearing may be taken and preserved. The determination or recommendation of the Licensing Review Board shall be in writing and shall specify the ground or grounds upon which it is based.
8. The Licensing Review Board shall maintain records and files of any and all hearings held by it.

H. Powers.

4. The Licensing Review Board shall have the power to suspend a license, for a period not exceeding 30 days, if it determines that the licensee has been guilty of any act or circumstance set forth in this chapter. Any such determination of suspension shall be final and conclusive. Upon making such determination of suspension, such Board shall direct the Building Inspector to notify the licensee that his license is suspended. Such notice shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee, and such licensee shall immediately surrender his license to the Building Inspector.
5. The Licensing Review Board shall have the power to recommend to the Town Board that a license be suspended or revoked by the Town Board.
6. In lieu of a suspension or a recommendation to the Town Board, the Licensing Review Board may accept a written assurance of a compromise between the parties.

§ 79-21. Suspension or revocation of license by Town Board.

E. The Town Board shall have the power to revoke a license if it determines, after a public hearing as hereinafter provided, that the licensee is unfit or undesirable to carry on the home improvement business or is incapable of properly conducting such home improvement business. The Town Board shall have the power to suspend a license if it determines, after a public hearing as hereinafter provided, that the licensee has been guilty of any act or circumstance set forth in of this chapter.

F. Hearing.

3. If the Town Board determines to hold such hearing, it shall notify the licensee that a hearing will be held before the Town Board to determine whether his license should be suspended or revoked. Such notice shall specify the time and place of the hearing and the ground or grounds for suspension or revocation which will be the subject of the hearing. Such notice shall be in writing, shall be served at least 10 days prior to the date of the hearing and shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee.
4. At the time and place set for the hearing, the Town Board shall give the licensee and any other interested party a reasonable opportunity to be heard. The decision of the Town Board shall be in writing, shall specify the ground or grounds upon which the decision is based and shall be final and conclusive.

G. If the Town Board determines that the license of a licensee should be suspended or revoked, the Town Board shall direct the Building Inspector to notify the licensee that his license is

suspended or revoked. Such notice shall be served personally or by certified mail, return receipt requested, addressed to the place of business of the licensee. A licensee shall immediately surrender his license to the Building Inspector upon its suspension or revocation by the Town Board.

H. § 79-22. Automatic Suspension

Any licensed issued under this chapter shall be suspended immediately by operation of law and the contractor prohibited from performing any work in the Town of Shelter Island upon notice to the contractor of the lapse, cancellation or any other termination of liability or worker's compensation coverage and such suspension shall remain in effect until such coverage is reinstated.

ARTICLE III – PROHIBITED ACTS

§ 79-30 Prohibited acts.

E. In addition to any prohibitions contained in this article or in any other local law, resolution, or ordinance, the following acts are prohibited:

F. Abandonment or willful failure to perform, without justification, any contract engaged in by a licensee.

G. Willful deviation from or disregard of contract specifications or estimates in any material respect without the consent of the contracting party.

H. Engaging in deceptive or unconscionable trade practices in the solicitation or procurement of a contract, or in the preparation of or performance of a work estimate or invoice, or in the collection of debts incurred for consumer goods and services as defined below:

3. DECEPTIVE TRADE PRACTICES

Any false, falsely disparaging or misleading oral or written statement, visual description, or other representation of any kind, which has the capacity, tendency or effect of deceiving or misleading consumers or the consuming public and is made in connection with a contract, preparation of or performance of a work estimate or invoice, in the extension of consumer credit, or in the collection of consumer debts. Deceptive trade practices include but are not limited to:

l) Representations that:

v. Goods or services have sponsorship, approval, accessories, characteristics, uses, benefits, or quantities that they do not have.

vi. The seller has a sponsorship, approval, status, affiliation, or connection that he/she does not have.

vii. Goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, or secondhand.

viii. Goods or services are of a particular standard, quality, grade, style, or model, if they are of another.

m) The use, in any oral or written representation, of exaggeration, innuendo or ambiguity as to a material fact.

n) Failure to state a material fact if such failure deceived or tends to deceive.

o) Disparaging the goods, services or business of another by false or misleading representations of material facts.

p) Offering goods or services without intent to sell them.

q) Offering goods or services without intent to supply reasonably expectable public demand, unless the offer disclosed the limitation.

r) Making false or misleading representations of fact concerning the reason for, existence of or amounts of price reductions, or the price in comparison to prices of competitors or one's own price at a past or future time.

s) Falsely stating that a consumer transaction involves consumer rights, remedies or obligations.

t) Falsely stating that services, replacements or repairs are needed.

u) Falsely stating the reasons for offering or supplying goods or services at sale or discount prices.

v) The failure by any person engaged in the delivery, pickup, inspection or repair of consumer goods and/or services in the home to keep an appointment to perform the delivery of consumer goods and/or services on the day agreed upon with the consumer unless the consumer has received written or verbal notice of delay or cancellation before the end of the preceding business day. This provision shall not apply to the sale or delivery of utility services, home improvement contractors working under a contract, requests by consumers for same-day emergency service, cancellations of appointments by the consumer, delays caused by the consumer or failures to keep an appointment caused by strike or natural

disaster. If unexpected circumstances, such as a mechanical breakdown, preclude notification by the end of the preceding business day, then no violation shall occur if actual notice is given to the consumer as soon as practicably possible.

4. UNCONSCIONABLE TRADE PRACTICE

Any act or practice which unfairly takes advantage of the lack of knowledge, ability, experience, or capacity of the consumer or which results in a gross disparity between the value received by a consumer and the price paid by the consumer. "Unconscionable trade practice" shall include any acts or practices which unfairly take advantage of a sudden disaster, such as hurricanes, tornadoes, flooding, blizzards, explosions, airplane crashes, earthquakes, nuclear war, radiological emergencies, war, civil unrest or disobedience or acts of God and comparable acts which result in gross disparity between the value received by a consumer and the price ordinarily paid by the consumer in the absence of one of these above occurrences. The existence of such a disaster shall be established, for the purposes of this chapter, by a written declaration by either the County Executive or a majority of the entire membership of the County Legislature. The Director shall initiate investigation of such unconscionable trade practices immediately after any one of the natural disasters or other acts of God described above.

ARTICLE IV- REMEDIES

§ 79-40. Penalties for offenses.

I. Any person who shall conduct or engage in any home improvement business without having obtained a license therefor, in violation of this chapter, or who shall conduct or engage in any home improvement business while his license is suspended or revoked, in violation of this chapter, shall, upon conviction, be punishable by a fine not exceeding five times the then applicable license fee or by imprisonment for not more than 15 days, or both, for each and every violation. Each day that work is performed without a license shall be considered a separate offense.

J. Any contractor as defined herein who performs services on Shelter Island without a valid and current liability and worker's compensation insurance policy shall, upon conviction, be punishable by a fine not exceeding $2500 or by imprisonment for not more than 15 days, or both, for each and every violation. Each day that work is performed without the required policies shall be considered a separate offense.

K. Any contractor as defined herein who advertises to perform services in the Town of Shelter Island without listing their license number on the advertisement shall, upon conviction, be punishable by a fine not exceeding $100. Each separate and distinct advertisement shall be considered a separate offense.

L. Any contractor as defined herein operates a vehicle in the Town of Shelter Island without a valid license sticker shall, upon conviction, be punishable by a fine not exceeding $100. Each unstickered vehicle shall be considered a separate offense for each day it operates in the Town of Shelter Island.

M. Any contractor regardless of licensing status as defined herein who utilizes any vehicle to perform services in the Town of Shelter Island without affixing a sticker shall, upon conviction, be punishable by a fine not exceeding $250. Each separate and distinct advertisement shall be considered a separate offense.

N. Any contractor as defined herein who Willful failure to comply with any lawful order of any Federal State of Town agency department or official shall, upon conviction, be punishable by a fine not exceeding $250. Each separate and distinct advertisement shall be considered a separate offense.

O. Any contractor as defined herein who engages in deceptive trade practices shall, upon conviction, be punishable by a fine not exceeding $5,000. Each separate and distinct advertisement shall be considered a separate offense.

P. Any contractor as defined herein who engages in unconscionable trade practices shall, upon conviction, be punishable by a fine not exceeding $10,000. Each separate and distinct advertisement shall be considered a separate offense.

§ 79-41. Injunctive relief.

Upon application of the Building Inspection or the Town Attorney, the Town may commence an action in the name of the Town to restrain, prevent and enjoin a violation of this chapter or any rule or regulation promulgated hereunder or any continuance of such violation.

§ 79-42. Stop Work

The Building Inspector may immediately stop work of any home improvement contractor found in violation of the provisions of this Chapter and shall immediately refer the matter to the licensing review Board.

§ 79-42. Private Right of Action

A. Any contract entered into in the Town of Shelter Island by any unlicensed contractor is voidable by the Home Owner subject only to payment for work already completed.

B. Private right of action shall exist for any Home Owner with regard to any violation by the contractor of ARTICLE III – PROHIBITED ACTS of this Chapter.

§ 79-44. Applicability.

This chapter shall take effect 10 days after its adoption and shall not apply to home improvement contracts entered into before such date.

A license issued by any governmental agency prior to the effective date of the appropriate article of this chapter shall continue to remain in full force and effect until its expiration or termination unless sooner revoked or suspended for cause.

SECTION 2. SEQRA

This Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this action will not result in a significant adverse impact on the environment.

SECTION 3. Effective Date

This local law shall become effective immediately upon filing with the Secretary of State.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 515

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

"Whereas", a public hearing was duly held on the 10th day of September, 2021, on a proposed local law entitled Clarification of Charitable Noise Exceptions, and continued on October 22, 2021, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 11 - 2021 entitled Clarification of Charitable Noise Exceptions is hereby adopted, to wit:

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

Section 1. Section 92-6A is hereby amended to read as follows:

"Noise generated by municipally sponsored, sanctioned functions or charitable events designed to promote the health, safety or welfare of the inhabitants of Shelter Island". Any event on public or private property, including any business property that seeks an exemption from this Chapter must obtain Town Board approval for such exception prior to the beginning of the event. Each charitable event shall require a separate approval.

In order to qualify for the exemption, the charity must be a registered tax exempt corporation, a New York State Registered Charity or a municipal corporation or department or other Town approved function, and the principal purpose of the event must be support of the charity.

The event must raise at least one thousand ($1,000.) for the named charity.

Section 2. 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.

At 6:15 p. m., Supervisor Siller moved and Councilman Colligan seconded to adjourn the meeting. This motion was carried.

Dorothy S. Ogar
Town Clerk

November 3, 2021

The public hearing to be held as advertised on the proposed 2022 Town budget was held in the Shelter Island Town Hall, Shelter Island, New York, on the 3rd day of November, 2021 for all interested persons to present written or oral comments in favor of or against the preliminary budget as compiled or for or against any item or items therein contained. Town Board members present were Supervisor Gerard F. Siller, Councilmen James Colligan and Albert Dickson and Councilwoman Amber Brach-Williams. Town Attorney Robert DeStefano, Town Clerk Dorothy S. Ogar and approximately ten persons were also present.

Salute to flag.

The Supervisor called the public hearing to order at 1 p. m. and opened the hearing to comments. Some views expressed were as follows: my name is Paul Hudon, I live down here at 97 South Ferry Road and my first question would be or comment is why something as important and the Town budget, why is the hearing on a Wednesday afternoon where other than us __ and some other people who might be affected, are not able to be here; the Town budget process, it goes on for an extended period of time, open work sessions and we discuss it on a regular basis, now we follow the calendar that the State dictates that we have to set the hearing and open it up to the public for comment, close the hearing and then adopt the budget; and when is the next meeting; the next Town Board meeting would be in two weeks; yes, a week from Friday; is it gonna be in the middle of the day; the Town Board meetings are at four o'clock, four thirty; four thirty and they're available on Zoom; are we going to discuss, I'm wondering, when we talk about taxes and Town budget, are we going to next year going for a full two percent because the; it's hard to say that and historically Shelter Island has not addressed the needs of the future quite honestly, they tried as hard as they could to keep taxes down, not do any capital planning, not look at long term issues and my feeling, quite honestly when I got on the first time twenty years ago, we were at another upsurge and I asked the previous administration, with all this increased money, are you addressing you know, are you looking to address needs and it was let's safe, let's play it safe and that's always kind of been the attitude here and this Board has felt you know, we have needs, we have issues that we need and we can't stop pretending that we don't have ADA compliances we're gonna have to address, we have building issues we're gonna have to address; what's ADA; American Disability Act, handicapped access and those things, so we've started those processes, again we have that cap, we have a five year plan for capital improvements and each year we project what we're gonna have to put into it so yes we probably will see more of an assessment on the Island, we'll see more, the taxes will be spread more evenly but I can't say it's gonna cut our expenses; a couple of, to address your question a little bit more, in more detail, when real estate prices go up, what it does is, it takes the pie and makes it bigger, if everyone's real estate value goes up evenly, you still have the same percentage of the pie so the fact that our assessment has grown doesn't have an impact on how much we pay in taxes, new construction will add to the pie and so what will end up happening is we've got revenues going, what we need to get from tax revenue is going up by two point nine percent but as construction is added to the value, your tax rate may not go up two point nine percent depending on how much new construction ___, it could be three point five percent, a good example of that is over at the Fire District, if you look at the budget that was published there and you can see that the tax revenues raised by a certain percentage, but the tax rate did not go up at the same percentage so I don't know is; let's see if I'm right, I just built a shed and Chris Tehan comes over, looks at it and says it's worth twenty thousand dollars, my taxes will go up several dollars because now I have __ on my property but not necessarily will my taxes change the full amount; yeah if you've increased your value because of that shed, so your piece of that total Town pie has just gotten slightly bigger so your tax rate could go, your tax could go up slightly because of that; okay; I just want to say, there's not a building or an asset that we have here in Town in the last six years since I've been on the Town Board and doing capital planning that we haven't made major __ changes on, take a look at Police Headquarters, all that brick pointing and the window replacement, Justice Hall; oh I agree ____ I just; right across the street, a lot of our neglect has been in two areas, marine assets and roads, roads we've caught up on in terms of paving, we continue to make improvements on roads, road elevations now are a big thing because of global warming and sea rise, we're confronted with the fact that many of our roads, not many, but there are key roads within the Town, that flood during extreme high tides, we don't have to have a hurricane or anything, just the past week was a perfect example of where West Neck was under or Ram Island, they were concerned about certain parts, Ram Island Drive, going into West Neck, that road that goes in there, West Neck Drive, so we're in the process right now of trying to take corrective action through a capital plan that is just being finalized as we speak to spread that cost out over a long period of time, our job, as we met this morning, the five of us and it's Amber and I, two of us are right here and the Town Engineer and Brian Sherman, he's in charge of

highways and Jim Read, he has a mitigation plan that he's working on to try to mitigate all of those possible threats to the Island, so I don't want to say that anybody isn't _ , I'm not looking to put fault on anybody or any administration or anything else in the past, it's just a lot of this stuff has come to the forefront in the last two years and if we don't start to take corrective action, so rather than jump the budget up like ten, fifteen, twenty percent to take all this corrective action, we do two things, we try as hard as we can to get grants and we've taken in about three and a half million dollars worth of grant moneys in the last four or five years, mostly gone into our roads but there's not a thing that we haven't done that hasn't been partly grant funded so even the improvements that we're making down at the recycling center as we speak, so we've tried to work real hard there and we've tried to find other ways to finance those things and I think we've been fairly successful and you know as the country wrestles with the superstructure problem, I would like to think that Shelter Island is far out ahead of the nation in terms of taking care of its infrastructure and the threat that we have as being an island, even with the ferry terminals, a simple little thing like raising the __, putting in longer ramps to accommodate emergencies during storm times to get an ambulance on and off the Island, it's a big challenge but we're working with the State, we're working with the Federal government and now that the stimulus money is out there to take advantage of it, it's up to the grants committee and our grants writer which is, she's just a part time person, again we spend about thirty thousand dollars a year on her position but during those last four years, we paid about a hundred and twenty thousand dollars, she's taken in several million dollars of grant monies to help us attack this problem, she is excellent at what she does; I, I, I, agree with what you say, I've been coming to Shelter Island but I've only lived here for six years, about seventy-five percent here and twenty-five percent back home with the grandkids but the, I don't want to be contentious but being a New Yorker, I see capital improvements all the time, and nobody considers that after the thing is built, whatever it is, that there is maintenance; sure; and __ that goes on it, it flops off into the operating budget, same as green spaces, green spaces that need to be mowed, need to be weeded, have trees to be cut down, they have to go to the Highway Department; but they're subsidized by the two percent fund; okay; the two percent fund pays for anything related; that just doesn't ___; yes, yes; but otherwise; there was a fine example just with equipment at the recycling center, we used to go out and rent a grinder for approximately a hundred and ten thousand dollars a year and we could only get it at certain times after a storm when the demand was great, somebody would bring it over and we'd use it and return it, we went out and bought a seven hundred and, ten thousand dollar grinder, at a fifty fifty grant, so that's three hundred and five thousand dollars we had to lay out, that was over three years ago, we just got the check back for three hundred and five thousand dollars, so everything now that that grinder does going forward for the next fifteen, hopefully the next fifteen years, that's saving the Town a hundred and ten thousand dollars every year, it's gonna be a million and a half dollar saving, buying that one piece of equipment that we used to rent, same thing with the excavator, same thing with the replacement of the trucks that we have in our fleet, we're trying to do it the best way we know how in terms of saving taxpayer money to be able to move forward with these other initiatives; thank you very much for your time; thank you; anybody else; good afternoon; good afternoon; I have a few questions on a specific area, I have some observations and it's more of a long term thing rather than anything urgent in terms of __ and I'm gonna focus on the Police Department budget, if you thought affordable housing was a third rail, maybe this is a third rail but, and in terms of the scope and in terms of the gentleman who just spoke, the Police budget I think is about two point one six million all together, it doesn't include animal control and whatever on the thirteen point six six million budget, it's about fifteen percent of the budget, it's probably the biggest part of the budget and one of the comments I have about it is the transparency concerning this part of the budget, I wasn't available to be here, I was in Manhattan, I had some work to do there when you went through the Police budget but I did watch it on television and over the streaming and by the way, I apologize, I was up late last night watching the elections and __, so I was watching this and when you got to the discussion of the major part of this budget which happened to be with the Police salaries and vacation and all that, the comment was that that was contractual, with salaries there isn't much you can do at this point in time concerning that, then it occurred to me that if during the budget section you would say it's contractual so we can't really have any affect on that so why discuss it, then when the contract was up and the current contract will be up the end of next year, right, I've got a copy of it here and I was taking a look at it in connection with just looking at the subject, and so it's gonna go through December 31, 2022 and I would assume that this is a union negotiation that the Town Board will be involved in over the next year and a lot of your discussions are going to occur during executive sessions because a lot of it has to do; all of our discussions will be; will be in executive session so the process itself, I'm not accusing anyone of not being transparent but the process itself has a built in okay capacity because of when you get to the Town budget, there's contractual, when you get to the contract, it's all behind closed doors and the public doesn't really have an opportunity to take

a look at what's going on in connection with that particular item, fifteen percent of the Town budget, now the other thing that I noticed with respect to the transparency issue is that for many years, I don't have full Town budgets with me but for many years but for many years, the, I have a copy here, give me one sec, I think I'm missing a page here, anyway, here it is but for many years, up until about twenty nineteen, 2019 right, you used to list every officer's salary, I have a copy of the page here somewhere, but something happened in 2020; we still do; you still do; it's an addendum; yeah; is it on line; year; okay; it should be; it's part of the budget, same as the highway; it used to be in the budget itself, I noticed it is all condensed into one point million, only Officer Read's salary is separated so I don't know is anyone looking at the budget, they might have made the same mistake I do and not looked at the addendum but these are fairly significant salaries and I just want to talk profit issues because over the next years you guys will have to get involved, the public should know that Chief Read's salary is gonna go to a hundred and ninety-two thousand, there are others, a hundred and forty-one thousand, a hundred and twenty-four thousand; I'm not sure what your point is Mr. Kohn; I'm getting there, I'm getting, so my point there was transparency but you corrected me; there is transparency; okay but I mentioned that because in the arbitration that occurred back in, the last arbitration the I'm aware of that the Town was involved in was two thousand eleven I think with the Police, the Shelter Island Police Benevolent Association, it went to an arbitrator and there were four criterias, it would be interesting to know if there has been an arbitration since 2011, there was also one in 1995 I think; I think the majority and Chief Read, you might be able to chime in, as far as I know it's almost always gone to arbitration, Chief, did the last one go to arbitration; I think it's been two years since arbitration __ we were able to, and I'm separate from the union; right; in the most cases we were able to negotiate ___; okay; I have a two thousand eleven one which is ten years ago; right; I think this is the last one, I'm not certain, I did ask for all the arbitrations and this is what I got, so in the, the arbitrator issues a ruling and in the course of doing that, it talks about the criteria uses in connection with the determinate result of the arbitration; I don't mean to cut you off but what does this have to do with this budget; it has everything to do with this budget; we're two years away from the next contract; if you remember the point of my comments and observations have to do with the lack of transparency; everything you talk about has to do with the lack of transparency; and you always claim to be the most transparent person on the planet; and I am; well you're shutting me down now and; but I don't see what this has to do with this budget, this is a budget hearing for this specific budget, if you want to talk about going forward in the future for future budgets or for a contract that hasn't even been discussed yet, then that's for another time, maybe I'm wrong; you're wrong; I'm not asking you, I'm not sure that this is the place for this discussion now; let me ask you this, if it was a Town work session, you don't need to let me speak, right; and I have a timer here that I didn't turn on. because you've spoken for about ten minutes so far, but we'll start now; okay; don't take offense to this by the way, I get this all the time; I think of the fact that this is a public hearing and you're job is to listen; yes; your job is to listen; to the budget, I hear your message as you go forward, you made your point; no, no, no, can you let me finish what I'm saying, you're saying __ two point six million dollars and I get all of that and you're putting a red flag out to the Board with future Town Board members in attendance or not in attendance here today, to be more careful, to be diligent and we go forward with negotiations and I get that, I would want to point out that unlike a lot of Police Chiefs that strictly are the Police Chief of the Police Department, Chief Read wears a lot of hats, putting together this mitigation plan and acting on all the mitigation, emergency management, he's the emergency manager for the Town, he also is extremely active during Covid-19 in terms of being with people to get through this, I think our Chief wears so many hats and does so many things, he's a quality human being that really is an outstanding asset to this Town, I will agree with you that as we replace younger officers for senior officers, there was a major savings in salaries there, however over a short period of time, those salaries increased fairly significantly after the fourth or fifth year, they start to go up fairly significantly, unlike how it used to be, kind of like with teaching, you went from making eight thousand dollars a year in 1971 to making a hundred thousand dollars by 2006, those increases were seven, eight percent plus increment plus all the other incentive that people have; sure; I'm not here to question how hard these guys work, how well they work, how extremely impressed by the whole Covid thing last February and March and the way the Police Department ran it, it was the best thing I have seen _ have done in their lives, I'm not here to criticize that, I don't have any, I have no idea whether we have too many officers, too few officers, or whether they're paid too much or paid too little, I'm not making any judgments; I think this; __ on my time; I know but the Supervisor suggested due to nature of time and business, what would be the point; my point is you can always shut me down except during a public hearing; unless there's a time limit that cut into; we're talking about fifteen percent of the Town budget; yeah, it's a significant amount; we're talking about a philosophical issue going forward, it has nothing to do with this budget now, this budget is contractual, we discussed it, it's available for the

public; I'm sorry, we can't do it this way, I'm sorry; going forward we can't do it this way; you can always shut me down, you can't do it; I thought we had a philosophical issue, we're going forward, it has nothing to do with this budget now, this budget is contractual, we discussed it, it's available for the public; you can't do it this way, I'm sorry; __ going forward, going forward we can't do it this way; you can always shut me down, you can't do it during a public hearing; yeah I can, I can; no you can't, I'm not being disruptive; there is a time limit; you don't give me a chance to talk, what is going on here; you've spoken for ten minutes now; so I've had ten minutes but then you interrupted me; now you're going on to the next ten minutes; now you're giving me ten minutes; I'm giving you five minutes; let me move a head, so last week, just so the Town knows, last week, November the first, I guess, there was an article in the New York Post of how Suffolk County doesn't require the Police to take __ and that the Supervisor; does this have anything to do with the budget; yeah; vaccines have something to do with the budget; well okay, the starting pay for NYPD and Suffolk County cops is currently forty-two thousand okay, but the City cops, New York City cops maxed out at eighty-six thousand annually, Long Island Officers were nearly double to a hundred and fifty-five thousand six hundred after eleven point; I'll ask you one more time, what does this have to do with the twenty twenty-two budget; would you stop interrupting me; this is a budget hearing; I am speaking, I'm getting to that; I'm asking you or I will cut you off, I can cut you off, what does that have to do with the twenty twenty-two budget; will you shut up; no I won't, answer the question; let me finish; what does it have to do with the twenty twenty-two budget; the twenty twenty-two budget is based upon a process that's completely untransparent okay and I don't think the Town did it's job years ago and I'm trying to point that out so you don't make the same mistake in the future; and I __ with that; where's the transparency in the process to the public, I didn't mean to get upset but why am I being attacked when you've given me ten minutes to talk and then you stop me after like thirty seconds; well what you're talking about has nothing to do with this budget; ___; this is a budget hearing Mr. Kohn; I'm sorry; two minutes to make your point; two minutes to finish up; yes two minutes to finish up; okay, so Suffolk County Police is considered winning the lotto from New York Police officers, that's my point there, the four criteria that are used by an arbitrator and by you in negotiating a police contract, okay, the most important one is criteria C, okay which is a comparison of the peculiarities of the job of the members unit involved in other trades of _ and also he said law enforcement is unique and those employed in the field can only be compared with others in that field, the arbitration they decided to compare Shelter Island to the other towns on the east end, now the other towns on the east end okay are highly complicated just like the other towns in Suffolk County, there's a process going on here that seems outrageous because if you take a look at the physical cost you know, I'm sorry, the physical, specifically the hazards of the employment, the qualifications, let me ask you something Supervisor, do you know what the crime rate for violent crime on Shelter Island is; let me ask you something Supervisor; no no no, I'm asking you a question; no I don't; let me finish, violent crime in New York City is twenty-eight point two; let me, let me; so we have salaries on the west end, now just Shelter Island, the entire Suffolk County that's twice of New York Police and it's about a third of the hazard; and would you acknowledge that every time an officer goes to work, there's a chance that he could be shot; we might have four more officers; will you acknowledge that that's a possibility; okay; you put your life on the line every time you go to work; a Police officer in the Bronx on the force for eleven years, making eighty-six thousand a year, you've got a guy here making a hundred and fifty thousand a year and the crime rate is almost three and a half times; what's your point _; __; if you would stop interrupting me I would have had this done in ten minutes but my point is that when it came to going, the Town went to the last arbitration and the arbitrator said quote the Town did not produce an economist in support of it's economic position, it merely produced a series of articles and the statement of its Supervisor, by the way, in 2011, were you the Supervisor; you know I wasn't; I didn't know you weren't, I was just curious, but somebody was, so somebody didn't go __ to an important arbitration that basically put this Town on a line of it's compensation of it's officers, we might have four more officers on the street if we felt we needed it for the same money we're spending today, that is one of my __; what are you saying, cut the salaries in half and buy __; no, I'm not saying that; I guess it goes along with your affordable housing; but take a look at some of the other things, the longevity benefit, it's part of their line item; alright I'm gonna cut you off now; no, no; I'm cutting you off now, this has nothing to do with this budget, you can come in in the future and talk to us about this issue, this has nothing to do with this budget; I'm reading your budget, what does longevity mean, does any one in the audience know; it's a contractual issue; __; if you work in the Town; Bob why don't you finish up if you have to, if you can conclude; I'm jealous, pointing out the number of vacation days; you're talking about a contract that's in place, you can talk about then when we go to negotiations; no I can't; I'm not gonna be in executive session; but you can come to a work session and say I think these are issues, I think maybe we should; if it's a work session, you can tell me just like now, get

the hell out of the building; basically that's what I'm saying; this is a public hearing; and you're done, you're done, we've heard from you, thank you very much; I do have a couple of comments; transparent; that's right; earlier you mentioned about the salaries being condensed, that was done a couple of years ago because we have, especially with respect to the Highway Department, if sometimes when we have retirements and new people coming on, we were doing like lots of gymnastics with budget transfers, like person didn't use this much of the line because they were in brush and weeds and then they went over to Highway so we were doing so many transfers that we decided to, in the budget to cut down on that, have one line item, I did while you've been speaking, look at the budget that got posted and apologize because I did not notice that the salary backup sheets are not; __; so I do apologize for that; I accept that on behalf of the public, an apology, lack of transparency that I didn't see; it's not transparency, it was on our work sheets __; this public hearing should be postponed because the budget; you should be postponed; so I apologize and then with respect to salaries on Shelter Island versus the rest of Suffolk County, we did, it is a much more complex process that takes place because we are competing against other municipalities within Suffolk County to hire good Police officers, so if we underpay here you know compared to some other place, we will not keep our people, they will go elsewhere; __ a choice, they're asking for more each year, they're asking for more sick pay, they're getting; and that's all part of the negotiations; they save a hundred and fifteen days for their retirement; yes; if their vacation goes over, they can take days of vacation to the next year and then get paid half of that or ten days, they get paid half of that in January, I mean there's all kind of things that you are putting in this budget, there are all these perks that even if they look at the salary, some of these guys can take vacation days and they can be an electrician, they can be plumbers, they can do other things on the Island; alright it's called a side job; and it doesn't break out the overtime for an officer so you don't really know how; yeah and that's flexible cause you don't really know and also if you look at the contracts of other neighboring towns, they have some similar provisions so we're competing against the other towns; and I think that should be a voluntary competition, not something that is forced by an arbitrator based on information the Town didn't supply, if you did a proper job of hiring an economist, I think maybe it could have been done, maybe not on the salaries but certainly on all those perks that are costing the Town a fortune but I do appreciate your correcting the Supervisor who suggested that it was, that it wasn't on the posting; that's why I looked at it; one of the things, just for clarity, with regard to the process, while the negotiations themselves will be in executive session, the vote on the contract has to be in a public meeting and it does have to be available for the public before that, all will have an opportunity to see it; after it's negotiated; after it's negotiated by before it is voted upon; that doesn't help anyone; here's my __ Robert, we have months and months and months well before we go into negotiations on the next contract, take your time, sit down and compute them, write out some of your notes, share it with the Town Board and say listen when the time comes and prior to negotiations, please focus on the following five areas that I think we need to be focused in on and we'll read that and take that into negotiations, and we'll read that and take that into negotiations and that goes for anybody in the public on any bargaining unit, if you have concrete suggestions on things that you think are disproportionate or unfair or poor practice, put it in writing, share it with the Town Board and I will promise you that it will be looked at, I can't say that everything will be rectified to that person's satisfaction but surely that's an opportunity for that person, a taxpayer, to talk to the Town Board prior to negotiations to get some insight into negotiations; well I would suggest that it's been ten years, it's probably time for another arbitration, alright so when push comes to shove, and do a much better job going into the arbitration than was done ten years ago; if you do your homework and look into arbitration, it's ninety-nine point nine percent of the time, it goes in favor of the bargaining unit, when I was on the Board twenty years ago, I took over an arbitration that was in place when I was there and after that I said to our outside counsel at the next, because the arbitration was done and the contract was over, we had to start again so I said to the outside counsel, let me see if I can talk to the union myself and negotiate and he said okay but you're out of your mind, it will never happen, but we did, we did it ourselves, we did a cost of living increase, that the entire Town did, all the employees, the Highway Department and it worked, so arbitration is like if anything, it's the worst resort because the arbitrators always goes in favor of the bargaining units; let me ask the Town Counsel, is the arbitration binding to the Police Department or can you file a lawsuit to oppose the arbitrator's decision; they haven't done one since I've been here; it's binding arbitration; it's binding Bob; it is binding, okay so the only way to really affect those negotiations is to do public participation; __; and public participation after you've negotiated the contract is too late; I wouldn't say __, I would never recommend public participation in a bargaining, in a contract negotiations, we would take public input and then bring that information; __ because you were happy to shut me down in ten minutes so don't give me that crap; from you maybe; I think __, there is a time for public participation in the process but it's after the contract has been negotiated but before it's been approved; no, no, it can

also be, we're going to, getting ready to starting negotiations, what are the concerns of the community; I think they're concerned about not being part of the negotiations; they certainly are not part of the negotiations, okay, anybody else have anything to say; Mr. Supervisor, if I can comment just briefly, one to the speaker, one that I know of, I'd be glad to just sit down, my office is open, if you want to get clarity on the Police contract, it's a public document, if you want to get clarity on the Police budget, also a public document, I'd be glad to sit down and discuss those items with you and just to, a few things on the east end, we probably, about fifteen percent will come out of the overall operating budgets like all east end towns or villages, recently I saw in Newsday about a week ago, settled their contracts at fifty-five zero per cent of the operating budget, this is not to argue back and forth, and I would welcome the time to talk about what he wants to talk about, as you know I work for the community and our budget is open to discuss anything in comparison with other towns __ my door is open to anyone, I welcome that opportunity but one thing that this has to do against the __ budget, does the forty-five thousand dollars for a car; yes; I didn't get the whole story about that as to why we needed to have, is it one of the kind of Police cars that you have now, it is another one of those; yes; okay, and another one is going into retirement; well we don't retire, we actually use them in the Building Department and other departments, we never take a vehicle after three years and use them in the Police Department and then get rid of them; okay; we work it through the entire Town; last time I was in Sag Harbor, I saw a little Police car, it was one of those little smart cars, I mean obviously they were using it for traffic control or whatever, I'm wondering why, or how many cars we have but why do we need eight forty-five thousand dollar cars when maybe if only the control people were using these cars, why would we have to have that kind of expense; then specifically you should take Chief Read up on this; __ runs and electric car for that purpose; well for the environment and whatever, I'm sure; the TCOs are now using a different vehicle; yes, yes, that came into being because of the price of the vehicle, and the environment; thank you Chief; and last reason; since I mentioned that the budget online did not have the backup schedule, I have gotten notification that it has been re-uploaded with the schedule; very good, thank you so much, we have good staff; you do; anybody else, okay we're gonna close the budget hearing and go into our work session.

The Supervisor closed the hearing at 1:43 p. m.

Dorothy S. Ogar
Town Clerk

November 12, 2021

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 November, 2021, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and approximately sixteen 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 Peter Swerdloff applying to fill the vacancy on the West Neck Water District Board of Directors.
2. A letter from Steven Sanders applying for membership on the Green Options Advisory Committee.
3. A letter from Stan Church concerning the Ram's Head Inn dock.
4. A letter from Giovanna Ketcham resigning from the Recreation Committee.
5. A letter from J. Chris Tehan concerning retirement.
6. An e-mail from Michael Shatken concerning wetlands buffers.
7. A letter from Sharon O. Jacobs retiring from her positions of Deputy Town Clerk and Deputy Registrar of Vital Statistics effective November 20, 2021.

The Supervisor presented the following financial report for the month of October 2021:

RECAP OF MONTLY STATEMENTS OF SUPERVISOR
OCTOBER 2021

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	7,067,180.06	166,018.36	1,094,806.68	6,138,391.74	810,076.33
Hwy Checking	1,853,174.22	8,100.65	148,179.48	1,713,095.39	
T&AChecking	198,145.68	59,391.97	43,748.00	213,789.65	10,519.17
T&A Savings	39,349.67	0.94		39,350.61	
Hwy Cap Res	448,741.77	10.70		448,752.47	
WNW Supply	5,703.94	1,587.21	1,561.58	5,729.57	123,574.31
Taylor's Island	44,127.03	0.37		44,127.40	
Comm Preserv	5,709,614.40	636,513.22	7,126.21	6,339,001.41	5,905,885.25
Waterways	168,010.66	2,700.00		170,710.66	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,436.51
Environmental	0.00			0.00	5,680.46
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul. fund	241,485.11	2.02		241,487.13	
Ambul. train	24,485.21	0.58		24,485.79	
TOTALS	18,106,664.41	874,326.02	1,295,421.95	17,685,568.48	7,227,172.03

RESOLUTION NO. 516

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

"Whereas", Nina Pinto 2 Seagull Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as latitude 41.05063° north and longitude 72.31666° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 3rd day of December, 2021, 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 duly adopted.

RESOLUTION NO. 517

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

"Whereas", Alain and Ellen Roizen, 153 North Ram Island Drive, have petitioned the Town of Shelter Island for permission to remove and dispose of existing lower platform, install an 8,000 pound boatlift in location of lower platform, elevate existing dock 2 feet, redeck with untreated lumber and provide for water and electric, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:46 p. m., prevailing time, on the 3rd day of December, 2021, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 4 in favor 0 opposed

The resolution was thereupon duly adopted.

RESOLUTION NO. 518

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

"Whereas", Gregg Pasquarelli, 30 Little Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor in front of applicant's property at a location designated as latitude 41.0801174° north and longitude 72.303073° west; said mooring location was formerly occupied by the C-2323 Montgomery mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:48 p. m., prevailing time, on the 3rd day of December, 2021, 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 duly adopted.

RESOLUTION NO. 519

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

"Whereas", Charles Magill, 89 North Ferry Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay off the Cackle Hill landing at a location designated as latitude 41.064603° north and longitude 72.364641° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held at 4:52 p. m., prevailing time, on the 3rd day of December, 2021, 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. 520

Councilman Colligan offered the following resolution, which was seconded by Supervisor Siller, 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 1, 2021, Douglas Sherrod was appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2023, and

"Whereas", Mr. Sherrod has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Sherrod serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Douglas Sherrod is hereby appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2023.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 521

Supervisor Siller 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 check in the amount of $875.00 received from the Shelter Island UFSD to the A1490.425 Public Works non-highway tree maintenance account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 522

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

"Whereas", pursuant to Section 108 of the Town Law, a public hearing was duly held on the 3rd day of November, 2021, on the preliminary budget for the year 2022, 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 and made certain adjustments, now, Therefore

BE IT RESOLVED, That the preliminary budget, is hereby adopted and declared to be the annual budget for the year 2022.

Roll Call Vote:

Councilwoman Brach-Williams	aye	
Councilman Colligan	aye	
Councilman Dickson	aye	
Supervisor Siller	aye	
	4 in favor	0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 523

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

“Whereas”, James Davies (“Applicant”) has applied to the Shelter Island Town Board for permission to undertake significant construction within vegetative buffer and adjacent regulated

area at 66 Ram Island Drive Shelter Island, New York and zoned AA (Residential) – Near Shore and Peninsular Overlay District, designated as Suffolk County Tax Map 0700-9-3-5 (the "Premises"); and

"Whereas" the applicant proposes removal of an unpermitted wood stair along the property line to the bulkhead, installation of a new paver based stone staircase and a retaining wall and installation of a new pool and patio that will be situated approximately 90'9" varying to 95'4 " from the wetlands barrier; and

"Whereas", the proposed construction includes the following work at least partially within the 75' Vegetative Buffer: removal of the wooden stairs and replacement of a platform at the bulkhead with the installation of a new stone stair; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' Adjacent Regulated Area: a new retaining wall, pool and stone steps; and

"Whereas", all further work is proposed in conforming locations for which a wetlands permit is not necessary; 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 number 1-4732-00098/00003 dated March 12, 2021; and

"Whereas", the SCDHS approval is not required for this project; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on October 22, 2021, 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 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. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council with the exception that the CAC had recommended that the pool be moved close to the house, and the Board finds that the issue of ensuring safety is paramount and consequently the pool need not be moved closer to the house in this instance; and
2. This project would have a minimal effect on the wetlands as it removes a number of unpermitted items; and
3. The proposed project will not have a negative impact on the quantity and quality of groundwater; and
4. There are no practicable alternatives which allow the project to be constructed outside the regulated area; and
5. The proposed project has adequate mitigation measures proposed or required, including runoff controls, that contribute to the protection and enhancement of wetlands; and
6. This permit is issued solely for the purpose of allowing intrusion into the wetlands and is not intended to restrict or exercise control over the general aesthetics of the project; and

BE IT FURTHER RESOLVED, That a wetlands permit for the above described work to be conducted at the Premises is hereby granted to the extent that all work is conducted within the applicable setbacks as depicted on the site plan prepared by Ian McDonald, Architect dated June 28, 2021 and the Site Plan of Matthew Sherman of Sherman Engineering and Consulting last revised November 11, 2021, and subject to the following conditions:

1. Construction procedures and erosion controls including the anchored installation and maintenance of wire backed silt fences during all stages of construction shall be required, and be designed to prevent any runoff from disturbed ground into the wetland areas; and
2. Soil disturbance should be minimized where possible; and
3. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
4. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
5. No project excavation, regardless of depth, may intrude into the water table or require dewatering; and
6. Construction materials and equipment shall be staged outside the regulated area; and
7. Parking of all construction and delivery vehicles shall be on premises or pursuant to the agreed parking plan; and
8. No public street or public or private Right of Way may be obstructed or impaired during construction; and

9. Applicant must repair any damage to any adjacent road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
10. 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
11. The applicant shall install an automatic pool cover, salt cell disinfection, a cartridge filter, and permeable patio; and
12. The applicant shall install a 15' non-turf buffer along the bulkhead; and
13. The existing septic system shall be replaced by a nitrogen reducing IAOWTS septic system if the applicant is able to obtain the relevant grants as well as approval from the Suffolk County Department of Health Services.; and
14. Noise controls shall be pursuant to the Town Code; and
15. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all new outdoor lighting on this project; and
16. 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 a minimum limits of $500,000; and
17. This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That any proposed change to the project which will result in the further incursion into the vegetative buffer or adjacent regulated area or which would violate any condition of this permit shall require the applicant to seek a formal amendment to this permit from the Town Board; and

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 524

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

"Whereas", Shorewood Farms, Inc., Seagull Road, has petitioned the Town of Shelter Island for permission to maintenance dredge inlet channel from Shelter Island Sound into Clark's Creek to -6.0' below mean low water, removing 1,000 cubic yards of spoil; dredged spoil to be deposited at an approved off-site location, 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 dredging work.

Vote: 4 in favor 0 opposed

The resolution was thereupon duly adopted.

RESOLUTION NO. 525

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

"Whereas", a public hearing was duly held on the 22ndd day of October, 2021, 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 2022, 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 the use of said funds shall be designated as follows:

$13,570.00 for renovations to the Community Center, which includes the porch roof, doorway, handicapped entrance and any other designated renovations determined by the Town Board.

Vote: 4 in favor 0 opposed

The resolution was thereupon duly adopted.

RESOLUTION NO. 526

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

"Whereas", Maria P. Razza has applied for a rebate from the Town of Shelter Island under Chapter 88 of the Shelter Island Town Code to install a Low-Nitrogen Sanitary System for property located at 19 Dinah Rock Road, Shelter Island, New York, and

"Whereas", the Water Quality Improvement Advisory Board (WQIAB) has reviewed the project, and recommended a conditional rebate of up to $6,000.00 and a $1,500.00 income incentive be awarded, now, Therefore

BE IT RESOLVED, That the Town Board hereby adopts the findings of the WQIAB and approves the applicant for a conditional rebate of up to $6,000.00 and $1,500.00 income incentive in eligible costs upon completion of the project and subject to the applicant's compliance with and completion of all terms and conditions of the conditional rebate agreement, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon duly adopted.

RESOLUTION NO. 527

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

BE IT RESOLVED, That Resolution number 499 - 2021 authorizing the purchase of the trailer for Crescent Beach is hereby amended by adding the following: and BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $40,250.40 from the 2021 Public Works A1490.498 Crescent Beach bathroom account to Comforts of Home Services, Inc., 410 Rathbone Avenue, Aurora, Illinois 60506 for the required down payment for said trailer.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 528

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

BE IT RESOLVED, That the Supervisor and Town Engineer, in conjunction with the contracted Town grantwriter are hereby authorized and directed to submit a grant application to the NYS Division of Homeland Security and Emergency Services under the Hazard Mitigation Grant Program for Project Scoping/Advancement; said project is anticipated to provide the data and analysis that are needed to support the execution of the Town's Hazard Mitigation plan and will seek funding to investigate and design infrastructure at the North and South Ferry terminals to increase resiliency to storm damage and provide additional operational functionality to support the Town's emergency management plans; and

BE IT FURTHER RESOLVED, That, if awarded, the grant will provide funding at 75% of the total project cost, with the remaining 25% burden to be covered by the Town.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 529

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

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, Inc., 140 Terry Drive Suite 100, Newtown, PA 18940 for the renewal of the membership use fees for the period July 1, 2021 to June 30, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 530

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

"Whereas", Vladimir and Jessica Colas, 8 Westmoreland Drive, have petitioned the Town of Shelter Island for a wetlands permit to replace existing 846 square foot wood deck and steps with 1,238 square feet of raised wood deck and steps, located partially within the regulated area (252 square foot within the 25 foot adjacent regulated area), install approximately 115 square feet of stepping stones adjacent to reconstructed deck, within 25 foot adjacent regulated area, remove 84 square feet of playground equipment from 25 foot adjacent regulated area, remove 77 square feet of pergola from 75 foot vegetative buffer, and install 99 square feet of paver firepit patio (with grass joints) within 75 foot vegetative buffer, 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 3rd day of December, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon duly adopted.

RESOLUTION NO. 531

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

"Whereas", Nathan Graf and Marisa Ryan, 12 Petticoat Lane, have petitioned the Town of Shelter Island for a wetlands permit to construct a second floor over existing first floor within wetlands regulated area; no outward expansion of building within regulated 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 4:52 p. m., prevailing time, on the 3rd day of December, 2021, 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: 4 in favor 0 opposed

The resolution was thereupon duly adopted.

RESOLUTION NO. 532

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

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:54 p. m., prevailing time, on the 3rd day of December, 2021, 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 REVISE SEPTIC REQUIREMENTS, to wit:

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

Section 1. Purpose

The Town of Shelter Island wishes to preserve the health and safety of its citizens and guests and to take those steps that are necessary to ensure that the Island's water supply is protected for this and future generations.

Section 2. Amendment

Chapter 43 of the Town Code of the Town of Shelter Island is amended in that §43-10.4. I/A OWTS Required shall be expanded as follows:

§43-10.4.I/A OWTS Required is amended in that the following shall be added under subsection A.

(5) Any expansion or renovation of a single family residence, a multiple family residence, or any other building capable of being used as a residence that:

a) has an existing non-conforming septic system as determined by the SCDHS
b) increases the "SFLA" (as defined in the Town Code) by twenty-five percent (25%)
c) increases the number of bedrooms (as defined by the SCDHS) that exceeds the allowable number authorized by a permit, previously issued by the SCDHS

Section 3. Severability

If any provision of this chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this chapter.

Section 4. SEQRA

This Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this action will not result in a significant adverse impact on the environment as the principal purpose herein is to ensure clean water.

Section 5. 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. 533

Supervisor Siller 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 4:56 p. m., prevailing time, on the 3rd day of December, 2021, 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

declaration of 9 Cozy Lane SCTM number 0700-022-01-094 as a dangerous structure pursuant to sections 43 and 45 of the Shelter Island Town Code and a determination as to the disposition of the structure; and

BE IT FURTHER RESOLVED that the Town Clerk is directed to notify the Owner of the premises by registered return receipt mail at least 10 days prior to the hearing.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 534

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

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:58 p. m., prevailing time, on the 3rd day of December 2021, 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 REVISE DEFINITIONS, to wit:

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

Section 1. Purpose

The Town of Shelter Island wishes to clarify and standardize definitions throughout the Town Code.

Section 2 – Amendment

The Town Code of the Town of Shelter Island shall be amended in that the following changes shall me made:

A New Chapter 2 – Definitions shall be created as follows:

Chapter 2 DEFINITIONS

§2-1 Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

§2-2 For the purposes of the Shelter Island Town Code, the following rules of construction shall be used:

A. Words used in the present tense include the future tense;
B. The singular number includes the plural; the plural, the singular;
C. "person" shall mean an individual, partnership, corporation, association or other entity;
D. the word "lot" includes the word "plot" or "parcel";
E. "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied";
F. The word "building" includes the word "structure";
G. The word "shall" is always mandatory.
H. Any dispute among meanings shall be determined by the relevant board.

§2-3 The following definitions shall be applicable to all chapters of the Shelter Island Town Code unless this chapter is directly referenced and an alternate definition explicitly set forth. In such cases, the alternate definition shall control for the purposes of that chapter only.

IMMEDIATE FAMILY: spouse or partner; children (including all natural, adopted, or foster children residing with the family); parents; siblings; grandparents, and grandchildren.

PERSON: An individual, corporation, Limited Liability Company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

ONE WEEK: For the purposes of the Code of the Town of Shelter Island, a period of any seven consecutive days.

ONE MONTH: A calendar month (each of the twelve named periods into which a year is divided).

PARKING PERMIT: A sticker issued by the Town of Shelter Island to park in those locations as set forth in the Shelter Island Town Code where a parking permit is required.

RESIDENT: Any natural person(s) or legal entity that owns property situated in the Town of Shelter Island or leases such property for a term of at least one year. Additionally all members of the immediate family of any person who owns or leases such property either in his/her own name or in the name of an entity in which such person is the majority shareholder, managing partner, managing member, or managing director shall be considered residents so long as such immediate family members reside at the Shelter Island address of the principal owner(s).

SUMMER SEASON: May 15 through September 15 of each calendar year.

TOWN: The Town of Shelter Island, County of Suffolk, State of New York, excluding the Incorporated Village of Dering Harbor.

EMPLOYEE / TOWN EMPLOYEE: Any person holding a Town position by election, appointment or employment in the service of the Town, whether or not compensated, or a volunteer expressly authorized to participate in a Town-sponsored volunteer program, committee board, commission, district, council or other agency, department or unit of the government of the Town of Shelter Island but shall not include independent contractors. The term "employee" shall include a former employee, his or her estate or judicially appointed representative.

DAYS: All days other than Saturdays, Sundays and legal holidays; Saturdays, Sundays and legal holidays shall be excluded in computing the number of days within which action may be taken or notice given within the terms of this article.

DEPARTMENT: Any office, bureau or other agency of the government of the Town of Shelter Island.

GRIEVANCE: Any claimed violation, misinterpretation or alleged inequitable application of any existing laws or duly established rules, procedures, regulations, administrative orders or work rules of the Town of Shelter Island or any department thereof, which relate to or involve employee health or safety, physical facilities, materials or equipment furnished to employees or supervision of employees; provided, however, that such term shall not include any matter involving an employee's rate of compensation, retirement benefits, disciplinary proceeding or any other matter which is otherwise reviewable pursuant to law or any rule or regulation having the force and effect of law.

IMMEDIATE SUPERVISOR: The employee or officer on the next higher level of authority above the employee in the department who normally assigns and supervises the employee's work and approves his time record or evaluates his work performance.

MUNICIPAL BUILDING: A building or facility that is owned or occupied by the Town of Shelter Island.

DEPARTMENT HEAD: An employee, appointed by the Town Board, who heads any department in the Town of Shelter Island that, has substantial supervisory control of a permanent nature over other municipal employees, and is directly accountable to the Town Board or to the Town Supervisor.

ENERGY: 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.

UTILITY: A private organization subject to governmental regulation, that provides an essential commodity or service, such as water, electricity, transportation, or communication, to the public.

PLACES OF LODGING: A place where a person can stay for a short period of time including but not limited to hotels, motels, tourist cabins, camps, rooming houses, short term rentals, guest cottages and inns.

OFF-ROAD VEHICLE: Any type of vehicle which is capable of driving on and off paved or gravel surface including but not limited to any motorcycle, moped, dirt bike, dune buggy, snowmobile, all-terrain vehicle, hovercraft or similar type vehicle.

PARK: A publicly or privately owned property for the use, enjoyment or appreciation of citizens and which may have improvements designed to facilitate recreational or passive activities, including any premises or area owned by the Town of Shelter Island, the County of Suffolk or the State of New York or any combination thereof and/or managed by the Town of Shelter Island or its licensees for recreation or open space purposes. Specifically but not exclusively included are all Town parks, Town landings, Town beaches, preserves, and all shoreline access points.

VEHICLE: Any self-propelled transportation device mounted on tracks, treads or wheels or any number or combination thereof, other than an off-road vehicle as defined herein. Every device operated or driven upon a public highway which is propelled by any power other than muscular power, except (a) electrically-driven mobility assistance devices operated or driven by a person with a disability, (a-1) electric personal assistive mobility devices operated outside a city with a population of one million or more, (b) vehicles which run only upon rails or tracks, (c) snowmobiles (NY VTL).

BUILDING INSPECTOR: A member of the **building** department who issues building permits, inspects construction to determine conformity to the **Unified Code, the Energy Code, the Local Code** and the approved plans, or one who inspects occupied buildings for violations of the **building** code. A Building Inspector makes field inspections of building construction, alteration and repair, and of land use and land or building development or modification.

BUILDING PERMIT: A document authorizing the holder to erect a building or structure of a particular kind on a particular lot. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

CERTIFICATE OF OCCUPANCY / CERTIFICATE OF COMPLIANCE: A document issued to the owner of premises attesting that the premises have been built and maintained according to the provisions of building or zoning ordinances. A certificate of occupancy is evidence that the building complies substantially with the plans and specifications that have been submitted to, and approved by, the local authority.

CODE ENFORCEMNT OFFICER/INSPECTOR: A general term to include any Ordinance Enforcement Officer, Fire Marshal, Building Inspector, and any other person authorized to issue an appearance ticket pursuant to Section 26-2 of the Shelter Island Town Code.

ENERGY CODE: The State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

FIRE MARSHAL: An official duly appointed by the Town Board of the Town of Shelter Island responsible for enforcing fire regulations **reviewing fire plans, inspecting fire safety systems** and/or investigating fires. The Fire Marshal shall serve as Fire Protection Officer and a Fire Warden where such offices are required by the State of New York.

LOCAL CODE: Every local law, ordinance or authorized resolution duly adopted by the Town Board of the Town of Shelter Island and assigned a chapter number and/or section number for inclusion within the published Code of the Town of Shelter Island.

NFPA: The National Fire Protection Association, its standards and its codes.

ORDINANCE ENFORCEMENT OFFICER: A duly qualified and appointed Town employee, selected in accordance with the civil service laws of the State of New York who shall enforce all aspects of the Uniform Code, the Energy Code and the Local Code with an emphasis on those sections not involving construction or demolition of a structure.

NOTICE OF VIOLATION / ORDER TO REMEDY: An order issued by any Code Enforcement Officer or Building Inspector requiring remediation of a violation of code within a specific time.

PERMIT HOLDER/PERMITTEE: Any person or legal entity to whom a permit has been issued by authority of the Shelter Island Town Code.

RESOLUTION: Any authorized resolution duly adopted by the Shelter Island Town Board, Shelter Island Planning Board, Shelter Island Zoning Board of Appeals, and any other board with resolution authority as prescribed in the Town Code.

STOP WORK ORDER: An order issued by the Building Inspector or Code Enforcement Officer directing that work on a project cease for a specified period of time or until further notice unless and until safety violations are resolved.

UNIFORM CODE: The New York State Uniform Fire Prevention and Building Code as currently in effect and as hereafter amended from time to time as defined by New York State Codes, Rules and Regulations Title 19, Section 1219.1.

NOISE: Sound, especially one that is loud or unpleasant or that causes disturbance. The difference between noise and desired sound is a matter of perception and is thus judged on a reasonableness standard.

LOCAL AGENCY: All agencies, departments, boards, offices and officers of the Town of Shelter Island.

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA): Article 8 of the Environmental Conservation Law, which is Chapter 43-B of the Consolidated Laws of the State of New York.

FILMING: The taking of still or motion pictures, either on film, videotape or similar recording medium, for commercial purposes intended for viewing on television or in theaters or for use in print or online media.

PRIVATE LANDS: Any land not owned by the Town of Shelter Island, the County of Suffolk, the State of New York or the United States Government.

PUBLIC/TOWN LANDS: Any and every public street, highway, sidewalk or square, park, preserve, bottom lands, beach or playground or other public place within the Town which is owned by or within the control of the Town of Shelter Island, the County of Suffolk or the State of New York.

APPEAL: A request for a review of any administrative ruling or interpretation by the various departments of the Town of Shelter Island.

BASEMENT or CELLAR: That portion of a building having its floor subgrade (below ground level) on all sides.

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, paving, excavation or drilling operations or storage of equipment or materials.

VARIANCE: A grant of relief from the requirements of the Shelter Island Town Code which permits construction or property use in a manner that would otherwise be prohibited.

ONE-FAMILY DWELLING: A detached structure designed for and/or occupied exclusively as the living quarters by one family, including lodgers and/or guests, a family being one housekeeping unit regardless of actual relationship.
TWO-FAMILY DWELLING: A detached structure or building designed for and/or occupied exclusively as the living quarters of two families, including lodgers and/or guests.
PLACE OF BUSINESS: Any shop, residence, place or premises from which business is transacted.
RESIDENTIAL PROPERTY: Any property used primarily for non-commercial and non-governmental use. This shall include one- or two-family houses and property associated therewith as well as residential cabins and multifamily condominiums, co-ops or apartments.
CISTERN: A holding tank for water, generally underground used to prevent the overuse of ground water.
GOLF COURSE: A tract of land used and maintained for playing the game of golf, whether publicly or privately owned. The Town of Shelter Island recognizes two golf courses: Shelter Island Country Club and Gardiner's Bay Country Club.
IRRIGATION SYSTEM: A system for artificial and/or automatic application of water to the land, soil or turf.
TOWN BOARD: The duly elected and constituted legislative body of the Town of Shelter Island.
AMPLIFIED SOUND: Sound which has its volume increased by electronic means.
PUBLIC RIGHT-OF-WAY: Any street, road, highway or sidewalk that is leased, owned or controlled by a governmental entity.
CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.
PREMISES: Any tract of land, including its structures, building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.
WASTEWATER: Water that is not stormwater, is contaminated with pollutants and is or will be discarded.
EASEMENT: A restriction or grant established in a real estate deed to permit the use of private land by a public agency or a public utility for specified purposes or to protect some special quality of the private land for specified purposes, such as a scenic easement.
PLAT: A map showing the arrangement of lots, blocks, streets, drainage, parks and other improvements, if any. The division of any parcel of land into two or more lots, blocks or sites, whether or not such division creates new streets or extends existing streets, and includes resubdivision, except that any division of land which creates no more than two lots and which is the direct result of a dimensional variance granted by the Board of Zoning Appeals shall not constitute a "subdivision" within the meaning of these Subdivision Regulations.
SWIMMING POOL: An enclosed container of water more than 10 feet in length with a depth of 24 or more inches constructed for swimming or therapeutic purposes. A swimming pool may be aboveground, in-ground or within a building. An accessory structure consisting of an enclosure constructed above or below ground level, intended to contain water of sufficient depth for one or more persons to swim, and including all appurtenant equipment.
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 the owner and/or owner's agent or representative.
ALTERATION: A change or rearrangement to the structural elements of an existing structure, or any enlargement or diminution of an existing structure, or the moving of a building or structure from one location on the premises to another. (Uniform Code: Any construction or renovation to an existing structure other than repair or addition.)
BED-AND-BREAKFAST: An owner occupied single-family dwelling with no more than 5 rooms for rent to transient guests for overnight accommodations for no longer than 14 days, and serving no meals other than breakfast to such guests.
BOARDER, ROOMER OR LODGER: An individual who is a transient or is not related to a member of the family occupying a dwelling unit or part thereof who, for compensation, is furnished with sleeping accommodations, with or without meals.
BOARDING OR ROOMING HOUSE: A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.
FENCE: A work or structure designed to either limit access to an area or to screen an area from view, or both.

HOME OFFICE: The business office of an individual which provides a service rather than the retail sale of goods (i.e., offices providing the service of consulting, advertising, designing, contracting and/or marketing and which typically require a home personal computer, telephone and/or facsimile transmission machine).
HOME OCCUPATION: Any use customarily conducted by the inhabitants on the property, which use is clearly incidental and secondary to the principal use of the property as a dwelling and does not change the character thereof. The foregoing applies also to professions and trades.
LOT: A continuous parcel of land in the same ownership throughout, with boundaries established through one or more recorded deeds which meet the lot area and width requirements and other regulations applicable to it at the time of its creation. "Lot" shall also mean "parcel," "plot," "site" or any similar term.
OPEN SPACE: Any lands within the Town characterized by natural scenic beauty or whose open character, natural condition or present state, if retained, would enhance the present or potential value of adjacent, surrounding or nearby lands or of development, or would maintain or enhance the conservation of natural, cultural or scenic resources.
OWNER OCCUPIED: Premises where owner is simultaneously domiciled on the same or adjacent premises with a tenant or tenants during a rental term.
YARD SALE: The temporary and occasional display and sale to the public of new, previously owned or used items of personal property from a residential property that is owned or controlled by the person holding the sale. For purposes of this chapter, “yard sales” includes, but is not limited to, garage sales, lawn sales, attic sales, tag sales, and rummage sales or any similar casual sale of tangible personal property upon any residential premises. The term “yard sale” does not include the mere incidental sale of one or two items of personal property when such sale is NOT part of a general sale of a number of personal properties.
The Town Code of The Town of Shelter Island shall be further amended in that the following sections shall be repealed:
§5-2 Energy, Department Head, Utility
§8-1 Town, Town Employee
§36-3 Parking Stickers, Places of Lodging
§36-3 Motor Vehicle, Park
§37-4 Off Road Vehicle, Park, Resident, Vehicle
§47-4 – Fire Wardens
§51-4 Town
§53-5 Owner(s), Permittee, Resident
§60-4 DEIS, EAF, EIS, Local Agency, State Environmental Quality Review Act (SEQRA), Town
§63-5 Permittee, Person, Superintendent of Highways
§65-4 Filming, Private Lands, Public lands
§68-4 Appeal, Basement, Cellar, Federal Emergency Management Agency, Variance, Development
§73-2 Person
§79.1 Building Inspector, Owner, Person, Residential Property, Place of Business
§82.4 Building Inspector, Cistern, Golf Course, Owner, Town Board
§90-4 Permittee, Person, Resident, Riparian Rights, Town, Town Board, Town Clerk
§91.3 Council, Dwelling Unit, Town, Town Board
§92.3 Person
§105-7 Advertising, Immediate Family, Owner
§108-2 NYSDEC, Resident, Town Lands
§110-2 Clean Water Act,
§111-3 Easement, Lot, Planning Board, Plat, Town Attorney, Town Engineer, Town Engineer and/or Superintendent of Highways
§113-4 Building Inspector, Owner, Swimming Pool
§124-2
128-4 Non-resident, Resident
§129-8 Permit, Person, SEQRA, Town, Town Board, Town Clerk
§133-1 Advertising, Bed & Breakfast, Boarding and Rooming House, Certificate of Occupancy, Certificate of Compliance, Dwelling, One Family, Dwelling, Two Family, Dwelling Unit, Family, Lot, Plat, Premises, Vacation Rental
Section 3. Severability
If any provision of this chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this chapter.
Section 4. SEQRA

This Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this action will not result in a significant adverse impact on the environment as the principal purpose herein is to ensure clean water.

Section 5. 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. 535

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

BE IT RESOLVED, That the following 2021 budget transfers are hereby approved:

$1,200.00 from the A1490.122 Public Works double time personal services account to the A1490.121 Public Works overtime personal services account;

$10,240.00 from the A3120.100PS Police Department personal services account and dispersed as follows:

$240.00 to the A3120.490 Police Department DARE training account, and

$10,000.00 to the A3120.491 Police Department contracts account; and

$800.00 from the A3120.200 Police Department equipment account to the A3120.400 Police Department maintenance account;

$200.00 from the A5010.440 Superintendent of Highways training account to the A5010.400 Superintendent of Highways office and miscellaneous account;

$1,158.00 from the A8160.103 Landfill seasonal personal services account to the A8160.119 Landfill part time personal services account;

$1,100.00 from the A8160.408 Landfill maintenance account to the A8160.201 Landfill recycling center roof account;

$1,250.00 from the A8160.444 Landfill environmental testing account to the A8160.497 Landfill professional services account;

$1,600.00 from the DA5130.152 Highway Machinery overtime personal services account to the DA5140.167 Highway brush and weeds overtime account; and

$1,800.00 from the DA5130.246 Highway equipment account to the DA5130.482 Highway Machinery grinder account; and

BE IT FURTHER RESOLVED, That the following 2021 budget modification is hereby approved:

$2,500.00 from the Waterways Fund balance to the A3120.100PS bay constable personal services account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 536

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

BE IT RESOLVED, That 2021 general claims numbered 1713 through 1828 in the amount of $109,420.13, 2021 highway claims numbered 206 through 223 in the amount of $32,756, 2021 West Neck Water claims numbered 41 through 42 in the amount of $11,824.73, and Community Preservation Fund claim number 20 through 22 in the amount of $7,763.07 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.

At 5:14 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Burton White, 34 South Menantic Road, for permission to install a mooring in West Neck Creek at a location designated as latitude 41.055104° north and longitude 72.354573° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: so we met on October 13th actually on this application, we're talking about White right; yes; and by a vote of five zero one with Mike Anglin the person who abstained and George wasn't actually present for the vote, we approved this application.

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 5:16 p. m. and called to order the public hearing to be held as advertised on the application of Charles Dunne, 18 - 20 Tuthill Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07428° north and longitude 72.29142° west; said mooring location was formerly occupied by the Robertson C-2551 mooring.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: on the Dunne mooring, the vote went five zero, two to approve, again Mike Anglin cause he is the installer of that and George was absent for the vote at that particular point, to approve that, it was a takeover of the Robinson mooring as Dottie just said.

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 5:18 p. m. and called to order the public hearing to be held as advertised on the application of Sylvie Van Huy Len Broeck and Peter Vanderbruggen, 8 Rocky Point Road, for permission to install a mooring in West Neck Bay approximately 125 feet northwest of the W-3543 Langham mooring, and designated as location latitude 41.065132° north and longitude 72.363774° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: again, on the same day, October 13th, the WMAC approved this by a six zero one because now George was online and Mike is the installer so he recused himself and they approved this mooring.

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 5:19 p. m. and called to order the public hearing to be held as advertised on the application of Susan Weber/5 Winthrop LLC, for permission to install a mooring in Dering Harbor at a location designated as latitude 41.0849° north and longitude 72.34949° west, said mooring location was formerly occupied by the D-3190 Corl mooring.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: we met and approved this with the new coordinates which I gave Dottie and a little ___ because she owns two properties or then this property, were they entitled to two riparian moorings and Susan was entitled to her riparian mooring and the wait list became an issue and Dottie checked on the wait list and that is an issue so Dottie has resolved that so that is approved pending on those two things and so we're good; so Dot riparian supersedes the waiting list; yes, riparian goes right to the top of the list; yes and that's what clarified that point for people that might be __.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I have a question; yes; this person has an address of Katonah New York, so, and this is under an LLC application, if we ask about owning moorings; Bob; look at the application and see an LLC and she, her driver's license for the application shows her address as Katonah New York; again, she's a property owner, I don't think every property owner's license shows a Shelter Island address; that's a mailing address; that's a mailing address, Bob do you want to address this, you're on mute Bob; she's still a property owner and being a property owner is entitled to a mooring and what is the issue; the issue is she's not a resident and __ this as far as having residency and having a mooring, __, this is why you're changing the definition of a resident __ mooring, this is more of what is happening so I'm trying to get verification on this application ___; she submitted paperwork that she's the only active manager, partner of the LLC that she's applied for the mooring for, that's the __; should we follow with this chain or do you want to hold this for one meeting and change the meaning in the definitions that we scheduled __; it's the same process we're going through with the Ram's Head Inn that we're been holding that one up because we're waiting to clear out the residency issue and just for the public's understanding, even though it's in an LLC name, they're still the property owner so that's what we're trying to define, and it's

the property owner, so we should hold this until we define the definition, until we approve the definition, the same as we're doing with the moorings at the Dering Harbor Inn; not Dering Harbor Inn; Ram's Head Inn, I'm sorry; and might I just say, this seems to __ through the mooring code and not the definition of a resident because the definition of a resident has more far reaching ramifications in the Town Code than just this mooring law, it seems to be a problem with the whole __, and I know that I said that I'm not against the Ram's Head Inn getting ownership of the moorings, it's just the process under which Code will allow such a __; ___; Pam I'm not the sharpest tack in the box, I just don't understand if an LLC owns the property and on the application it shows you who the LLC officers are, they're the property owner so I'm really not sure what we're missing; the mooring law says that a mooring has to be issued to a resident, not an LLC, and that's why I have difficulty with it, you have to be a Shelter Island resident to get a mooring; ___; that's what I'm saying; ___; why don't you come up and state your name Kristina, Kristina is here, the clerk to the WMAC; ___ issued mooring towards to a real person, not to LLC, correct; yeah; so everything would be __; __; residency is also defined by owning a property; yeah; that's the reason we're changing the residency requirement so then an LLC will be able to be a resident under the new definition; the way I read it, I didn't bring it with me today cause I didn't realize it was going to be an issue but if it's owned by an LLC or an entity, then the underlying person has to be a Shelter Island resident, not the entity, so that's why we're holding up the Ram's Head one; __ full time; exactly what I believe the code is; that's what we're changing in the residency requirements; okay, we're gonna put this one; and changing it __, it just doesn't seem rational to me, you'd be changing so much more in the code by changing the definition of a resident to accommodate this mooring law, it's a confusing way to go about it; well for most people ___ mooring law is for ___ from the others; okay, we're gonna recess this hearing, we'll recess it; close it; __ ; I don't think we closed it, yeah we recessed it.

The Supervisor recessed the public hearing at 5:23 p. m. and called to order the public hearing to be held as advertised in the Shelter Island Reporter on the application of Audrey and Campbell Myers, 2 Bay Avenue, for a wetlands permit for renovation and expansion of existing single family home, construction of a proposed swimming pool, pool patio, accessory structure (including garage, pool cabana and attached storage shed) outdoor kitchen and fireplace.

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

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

Councilwoman Brach-Williams presented the Planning Board report as follows:

Zone A, Near Shore and Peninsular Overlay District

We are in receipt of a wetland's application from Audrey and Campbell Myers prepared by John J. Bennett, Esq., undated, to renovate the existing dwelling and construct a new pool, pool patio, outdoor kitchen, outdoor fireplace, and an accessory structure which will include a pool cabana, a garage, a basement and an attached storage shed.

The applicant has obtained a NYSDEC Letter of No-Jurisdiction (Application # 1-4732-01070/00001) dated 4/4/2017 based on the existence of a functional bulkhead, greater than 100 feet, that was constructed prior to 20 August 1977.

The applicant has obtained a Suffolk County Department of Health Sanitary Permit (red stamped plan R07-17-0045) dated 7/24/20 which required a Suffolk County Board of Review Ruling dated 4/23/20, for a maximum bedroom count of six in the house and zero in the accessory structure.

The applicant has obtained Zoning Board of Appeals relief (Appeal 05-2021) for front yard intrusion of the house porch, addition and shed.

Project components within the Vegetative Buffer will entail portions of two additions, a new stair and a pool patio.

Project components within the Adjacent Regulated Area include the new house foundation, pool, pool patio with outdoor kitchen and fireplace, accessory structure with attached shed, mechanical equipment and buried LPG tank.

The existing 2 story, 5-bedroom house, with attached 340 sq ft garage, circa 1931, predates the Town's wetlands ordinance. The lot is non-conforming in regards to A-zone area being only .66 acres. The house is non-conforming in regards to A-zone front yard setback on Bay Avenue and Simpson Road, for which the applicant has obtained ZBA relief.

The property is improved with a newly updated bulkhead, an 8' wide 157' long dock in good condition, and a gazebo located at the base of the dock. The house is varying from 66'-11" to 68'-2" from the bulkhead.

The Planning Board members visited the site on 9/14/2021 and made the following observations:

1) The existing house does appear to be in need of repairs/updates. The roof is in need of replacement, some exterior trim shows rot, and a cellar window is broken.
2) There will be new construction encroaching into the 75' Vegetative Buffer. Per the calculation schedule on the Survey prepared by Michael Hemmer, LS, P.C. last dated 28 July 2021, the two additions, shed and steps extend 176 sf into the buffer. Per 129-2, new construction of less than 100sf (constructed after 12/2/2011) is permitted. It may be possible to reduce the shed's size to bring the total intrusion increase into conformance with the 129-2 exemption.
3) The existing concrete paths on the waterside of the property leading to the gazebo and dock will be removed and will be replaced by a paver walkway. This in an improvement as it allows for improved permeability. The Town Board may wish to take this into account when considering the previously mentioned total intrusion increase.
4) The Short Environmental Assessment Form notes the project site is located in the 100-year flood plan. No FEMA zones are indicated on the survey and its existence should be confirmed.
5) The existing sanitary system and well, both within the Vegetative buffer, are being relocated out of the Regulated area. A new nitrogen reducing I/A OWTS sanitary system and well are being installed. The sanitary system relocation and upgrade is major improvement.
6) The project proposes a salt-water chlorinated swimming pool within the Adjacent Regulated Area. The pool equipment is to be located in the accessory structure's cellar. The Town Board has required automatic pool covers and cartridge filter for pools within the Regulated Area in the past and may wish to consider them for this application.
7) The survey shows two drywells in the area of the old driveway that presumably will collect and recharge the house's roof stormwater. There is another drywell shown in the front yard near the new driveway. It is not clear if it is to be the dedicated pool drywell or be the required stormwater drywell for the garage. The applicant should detail it use and/or add a drywell if needed.
8) A Landscape Plan designed by Araiys Design, dated 10 May 2021, has been submitted showing a 25' planting buffer and detailing shrubs and perennials to be planted. In addition to the raised bulkhead top, this will greatly reduce stormwater flowing across the property from entering the creek. We recommend that no fertilizers or pesticides be permitted on this property.
In conclusion, if the expansion into the Vegetative Buffer can be limited to 100 sf, possibly by decreasing the attached shed's size so that it does not extend into the 75' buffer, and with the consideration of our other comments, the Planning Board would support approval of this application.
By:
Meg Larsen, Planning Board Member
Ian McDonald, Planning Board Member
For the Planning Board

Councilman Colligan presented the Conservation Advisory Council report which was as follows: The CAC suggested the following recommendations such as relocate the LPG tank out of 100 foot buffer; the 17i6 square feet building in 75 foot buffer should be reduced to Code of 100 squared feet; provide automatic pool cover; reduce pool depth to foot; submit details of protective fence; submit site plan prepared by Michael Hosmor to NYSDEC by current owner or previous owner; allow entrance into west basement to verify west basement wall is on plan; eliminate basement for cabana and garage to minimize removal of 25 foot adjacent vegetative buffer; and no dewatering.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Diane Barnes, 1 Bay Avenue, John's been very active in Mashomack, Menantic plan, but the building is definitely going smaller, there's no elevation and there's no extended kind of issues but the swimming pool at four feet, I don't know that that will happen either, that doesn't seem to make sense from what they've always wanted to have but these are their recommendations, not ours, the shed structure to the left of the garage is an encroachment on the space, it could easily go in their large garage that's: on the __ side, I guess we should discourage that a lot, __ accessory building on the garage, it seems to be __ and odd and for those who have never seen it, so __ the vegetative encroachment __ that shouldn't infringe on anybody's property; again, we'll discuss it, it won't be this Tuesday, it will be the following Tuesday; right; __ keep pushing the envelope, pushing the envelope and the whole street is a series of small residences that are __; right; the Police Department; if you and your husband would take your concerns, maybe put them down and maybe e-mail them to Town Hall here together, so just number them down, that would be very helpful so that we have those copies, we sometimes make site visits, go over and kind of check it out a little bit you know, so; right; getting that visual also helps you know; __ and the one thing the Menantic peninsula __ and most importantly is the water

table, and the serious condition of the water in our area, that's a huge concern; James; yes, James Preston, 8 Bay Avenue, and first, thank you for not keeping us to midnight, the time we had the first hearing on this matter, the first set of plans that we had to review had a number of details like the number of dishwashers, implying that there were several, this seems to be missing it, is it because they cut the size of the building back, I'm not sure, there's a thought I had and I'm not sure of the science that they're gonna have a saltwater pool and dump the backwashing into wells that are gonna ___ our water table; it's not a saltwater pool, I think it's the filtration, so they're not using chlorine; I don't know the science on that, it sounds okay, they seem to have cut back from the original plans of which I kind of agreed, our community was originally put together with a bunch of cottages that staggered the views so as you walked around the community, you could kind of look around and look at the water but we seem to have cut way back from that, so if any of that addition to the south that deals with the pool and the poolhouse, __ it could be more transparent, that would make everybody happy too, it seems that the water ran that was over on the Day property, low fences, not too high hedges, you can see through it kind of, it feels more open, it gets to be like those houses over in Southampton with thirty foot hedges, that's all, thank you; thanks Jim; anybody else in the audience, anybody on line, Bailey; Bailey Larkin for the applicant, I believe a couple of the comments of the last speaker were addressed with the significant redesign that has taken place before it was even filed with the Zoning Board of Appeals, what we were trying to do is redesign the project was increase __ and the architect __ which was part of the application that the Zoning Board of Appeals had heard __ take off some square footage __, the only expansion of the footprint are two small areas on West Neck Creek, __ share the screen; sure; __; Kristina; go ahead; you can share it, go ahead; okay; I can share the screen __, we tried to keep __ on the waterside of the house, those two squares __ West Neck Creek, we tried to keep everything at least as far away from the water as possible, __ submitted with our plan __ with the Suffolk County Department of Health Services, it actually has __ with this application __ signed off on the health permit __ IA system __ where the proposed system will go, we located it as far as possible from the water __ environmental benefit of the wetlands, with that being said, there is not going to be a garage __ and so we have proposed constructing a __ adjacent to the garage and the poolhouse structure, that __ in there and __ the application for__ twenty-nine and a half feet from the __ thirty-two feet in length __ we don't know if we can get a copy of the comments that had been submitted, it would be helpful __ about the easternmost entrance actually goes to the __ of the proposed poolhouse so that we can keep our equipment inside the structure itself rather than taking up additional ground space, __ and actually the automatic pool cover that was mentioned before __ twenty-five foot native buffer which __ back area, it is not fertilized ___, again __we tried to scale back the project from what was originally __ application, again we're trying to keep it within ___ and the garage obviously has to be __; just for my clarification, the proposed one story building; speak into the mic; I think the discussion will be a week from Tuesday and we'll __ to be here; sure, whoever can't make it, you're welcome to join us on Zoom but; the property is now designed, it will have six bedrooms and __ baths; __, Howard; thank you; I just want to point out that at our meeting we had on this property, the gazebo which is sixty-four square feet was not included in the __ but that is thirty-six square feet that they can add into the seventy-five to get the total of a hundred square feet on the property in the seventy-five foot, you had to count all the __; stop sharing the screen please; sure; anybody else, Bailey, anything else you want to add; I've just wanted to get copies of the Planning Board and CAC; yes; okay; I just wanted to add that the, we did mention that there would be the twenty-five foot wide buffer that we are proposing, the area of that is approximately, I don't have the exact number, it is approximately four thousand square feet of vegetative area that we are adding to the property that is now just long, that is why we added this buffer beyond the bulkhead; was that on there, was that on that plan; that was on a separate; okay; buffer plan that has where the plants are gonna go so there's, with that four thousand square feet we felt that that offset, it's far more than the area of structures that we're proposing; that's in the back or the side; no, it's in the back, it's on the waterside; Amber has that, we'll share that; wait a second; so there's the gazebo by the water and that's the proposed buffer; but the gazebo you said is footprint on the property, right, the square footage, okay; __ all the plans that were proposed were listed on the Conservation Advisory Council list of recommended plants; okay so Mike and Billy, we'll send the reports from the CAC and the Planning Board and we'll discuss it a week from next Tuesday; we should put it on the website too, we'll get the application, all the documents on the website; right; not next Tuesday; no a week from next Tuesday; no, a week from next Tuesday; _ plants; it might be on the architect's plan, let me take a look, I need to blow this up cause it's so small; anybody else want to talk on this one, okay so we're gonna recess this, okay so we'll recess this hearing and we'll reconvene our regular meeting.

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

RESOLUTION NO. 537

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

"Whereas", Burton White, 34 South Menantic Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek at a location designated as latitude 41.055104° north and longitude 72.354573° west, and

"Whereas", a public hearing was duly held on the 12th day of November, 2021, 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 duly adopted.

RESOLUTION NO. 538

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

"Whereas", Charles Dunne, 18 - 20 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor, at a location designated as latitude 41.07428° north and latitude 72.29142° west; said mooring location was formerly occupied by the Robertson C-2551 mooring, and

"Whereas", a public hearing was duly held on the 12th day of November, 2021, 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 duly adopted.

RESOLUTION NO. 539

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

"Whereas", Sylvie Van Huy Len Broeck and Peter Vanderbruggen, 8 Rocky Point Road, have petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay approximately 125 feet northwest of the W-3543 Langham mooring, and designated as location latitude 41.065132° north and longitude 72.363774° west, and

"Whereas", a public hearing was duly held on the 12th day of November, 2021, 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 and directed to issue a permit for the aforementioned mooring.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:54 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

November 16, 2021

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 16th day of November, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Albert Dickson, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and approximately ten persons were also present.
All Town Board members present signed a waiver of notice.

The Supervisor called the meeting to order at 1:57 p. m.

RESOLUTION NO. 540

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

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:56 p. m., prevailing time, on the 3rd day of December, 2021, 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 declaration of 9 Cozy Lane SCTM number 0700-022-01-094 as a dangerous structure pursuant to sections 43 and 45 of the Shelter Island Town Code and a determination as to the disposition of the structure; and

BE IT FURTHER RESOLVED, That the Town Clerk is directed to notify the owner of the premises by registered return receipt mail at least 10 days prior to the hearing.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 541

Supervisor Siller offered the following resolution, which was seconded by Councilman Dickson, to wit:

BE IT RESOLVED, That Marissa Fanelli is hereby appointed to serve as provisional full time office assistant at $22 per hour, for 35 hours per week, effective November 15, 2021.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 542

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

"Whereas", the Town of Shelter Island has received grant reimbursement funds from the New York State Department of Environmental Conservation for the Fresh Pond water quality study in the amount of $23,917.95, and

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

BE IT RESOLVED, That the following 2021 budget modifications are hereby approved:

$23,917.95 increase to a new A3089F State Aid, Fresh Pond revenue account, to be funded by said unanticipated revenue; and

$23,917.95 increase to the A1440.497 Engineering professional services account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Colligan, the special meeting was adjourned at 1:59 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

December 3, 2021

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 3rd day of December, 2021, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilman James T. Colligan, and Councilwoman Amber Brach-Williams. Councilman Albert Dickson was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and approximately thirty-two persons were also present.

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

Salute to flag.

RESOLUTION NO. 543

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

"Whereas", a vacancy exists on the Town Board of the Town of Shelter Island, now, Therefore

BE IT RESOLVED, That Barbara Jean Ianfolla is hereby appointed to serve as Councilman of the Town of Shelter Island for a term to expire on December 31, 2021.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:32 p. m., the Supervisor recessed the meeting to swear in the new Town Board member.

At 4:34 p. m., the Supervisor reconvened the meeting and Councilman Ianfolla joined the Town Board.

RESOLUTION NO. 544

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

"Whereas", vacancies exist on the Deer & Tick Committee, and

"Whereas", Dr. Josh Potter has expressed his willingness to serve the Town on said Committee, now, Therefore

BE IT RESOLVED, That Dr. Josh Potter is hereby appointed to serve as a member of the Deer & Tick Committee for a term to expire on June 24, 2024.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 545

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

"Whereas", the Shelter Island Highway Department has received funds from the sale of one Highway Department vehicle (VIN #1GDJK34U52E208776) in the amount of $5,100.00, and

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

BE IT RESOLVED, That the following 2021 budget modifications are hereby approved:

$5,100.00 increase to the DA2665 Sale of Highway Equipment revenue account, to be funded by said unanticipated revenue; and

$5,100.00 increase to the DA5130.246 Highway Machinery miscellaneous equipment account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 546

Supervisor Siller 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 $870.05 from the 2021 A1355.491 Assessors' support contracts account and $428.53 from the 2021 A1330.484 Receiver of Taxes office and miscellaneous account to Carr Business Systems, P. O. Box 936715, Atlanta, Georgia 31193-6715 for the one year copier maintenance agreement for the term November 12, 2021 through November 11, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 547

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $406.00 to Receiver of Taxes Ann Marie Seddio from the 2021 A1330.414 Receiver of Taxes postage account for the purchase of stamps.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 548

Councilman Ianfolla 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 $2,720.00 from the 2021 A1330.476 Receiver of Taxes software account to Edmunds GovTech, 301 Tilton Road, Northfield, NY 08225 for the annual software support/maintenance fees for the period December 1, 2021 through November 30, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 549

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

BE IT RESOLVED, That the Town Board of the Town of Shelter Island authorizes the Shelter Island Town Court to apply for a JCAP grant in the 2021-2022 grant cycle up to $30,000.00.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 550

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

"Whereas", sealed bids on the purchase of propane for the year 2022 were received by the Town Clerk's Office until 3 p. m. on the 17th day of November, 2021, at which time they were publicly opened and read aloud as follows:

John's Gas Service: for each gallon delivered for the calendar year 2022 the differential will be $.54 per gallon; and

J. W. Piccozzi, Inc.: for each gallon delivered for the calendar year 2022, the differential will be the sum of $.52 and 9/10 cents per gallon, now, Therefore

BE IT RESOLVED, That the contract for the purchase of propane for the calendar year 2022 is hereby awarded to J. W. Piccozzi, Inc. for the sum of the differential of $.529 per gallon.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 551

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

"Whereas", sealed bids on the purchase of fuel oil for the year 2022 were received by the Town Clerk's Office until 3 p. m. on the 17th day of November, 2021, at which time they were publicly opened and read aloud, as follows:

J. W. Piccozzi, Inc.: for each gallon delivered for the calendar year 2022, the differential will be the sum of $.549 cents (fifty-four and 9/10 cents per gallon), now, Therefore

BE IT RESOLVED, That the contract for the purchase of fuel oil for the calendar year 2022 is hereby awarded to J. W. Piccozzi, Inc., the sole bidder, for the aforementioned price.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 552

Councilman Ianfolla 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, 2021, for necessary transactions of the Board, and

BE IT FURTHER RESOLVED, That the Organizational Meeting for the year 2022 will be held at 1 p. m. on the 4th day of January, 2022, in the Shelter Island Town Hall, Shelter Island, New York.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 553

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

"Whereas", South Ferry has requested minor changes to its Wetlands and Special Permits previously issued by this Board; and

"Whereas", This Board finds that such changes do not materially alter the underlying reasons for the need for the permits; now, Therefore

BE IT RESOLVED, That the South Ferry Special Permit Issued on May 7, 2021 is hereby amended as follows:

a) Remove all references to plan dates from both the Wetlands and Special Permit referenced above.
b) The following shall be added as a condition to the Special Permit:

All construction shall proceed as depicted on the site plan and elevations and floor plan of Matthew Sherman of Sherman Engineering and Consulting dated October 21, 2019 and last revised November 1, 2021 based upon the survey of Michael Hemmer, LS, PC dated December 4, 2017 and last revised July 31, 2018.

c) All other terms shall remain as originally written.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 554

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

BE IT RESOLVED, That the following transferals of 2021 funds are hereby approved:
$3,000.00 from the A8160.200 equipment account to the A8160.201 recycle center roof account;
$15,000.00 from the A 8160.433 solid waste account to the A8160.438 processed concrete account;
$7,700.00 from the A8160.103 seasonal account to the A8160.119 part time account;
$4,800.00 from the A8160.103 seasonal account to the A8160.129 double time account;
$332.60 from the A8160.107 A. Reiter hazmat account to the A8160.104 M. Reiter hazmat account;
$11,214.20 from the A1490.410 grounds maintenance account to the A7320.201 Youth Center a/c account;
$3,836.60 from the A1490.410 grounds maintenance account to A7320.408 Youth Center repairs and maintenance account;
$19,328.65 from the A1490.417 Town landings account to the A1490.413 jetties and bulkheads account;
$2,671.35 from the A1490.417 Town landings account to the A1490.414 Town Hall buildings account;
$2,500.00 from the A1490.415 trees account to the A1490.425 non-hwy tree maintenance account;
$187.45 from the A5010.200 equipment account to the A5010.400 office and miscellaneous account; and
$18.62 from the DA5130.246 equipment account to the DA5130.447 oils/grease account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 555

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

BE IT RESOLVED, That 2021 general claims numbered 1829 through 1939 in the amount of $67,624.62; 2021 highway claims numbered 224 through 236 in the amount of $17,810.27; 2021 West Neck Water claims numbered 43 through 44 in the amount of $65.00, and Community Preservation Fund claim number 23 in the amount of $2,640.90 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.

At 4:45 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Nina Pinto, 2 Seagull Road, for permission to install a mooring in Smith's Cove at a location designated as latitude 41.05063° north and longitude 72.31666° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: there was no report, as the Waterways Committee has not discussed this

application and their meeting is being held on December 6, 2021, at which time it will be discussed.

The Supervisor recessed the hearing at 4:46 p. m. and called to order the public hearing to be held as advertised on the application of Vladimir and Jessica Colas, 8 Westmoreland Drive, for a wetlands permit to replace existing 846 square foot wood deck and steps with 1,238 square feet of raised wood deck and steps, located partially within the regulated area (252 square foot within the 25 foot adjacent regulated area), install approximately 115 square feet of stepping stones adjacent to reconstructed deck, within 25 foot adjacent regulated area, remove 84 square feet of playground equipment from 25 foot adjacent regulated area, remove 77 square feet of pergola from 75 foot vegetative buffer, and install 99 square feet of paver firepit patio (with grass joints) within 75 foot vegetative buffer.

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

The Supervisor called for the reports of the Planning Board and the Conservation Advisory Council, which were as follows: just that the CAC did not meet in November so they did not discuss this so it's on the agenda for December 13th, seven thirty, it's a Monday night, it will be here.

Councilwoman Brach-Williams presented the Planning Board report as follows: they visited the site on November 18th and made the following observations, there's minimal change in the slope of the existing turf yard from the house to the top of the bank, from the top of the bank where it meets the bottom of the bank and the tidal wetlands boundary, there is approximately a ten foot elevation change in twenty feet of __ down to West Neck Bay, the float contains a planting buffer with __, there is no bulkhead or rock revetment on the property, the trees along the top of the bank are slowly subsiding into the slope of the naturally planted buffer, the northeastern part of the property contains contours channeling surface water runoff into the existing natural wetlands buffer adjacent to West Neck Bay, the property is improved with a set of wooden steps leading down to a dock, there are no proposed improvements to the steps or dock at this time, there were no buried oil tanks observed and there will be a tennis court fencing being removed along the front yard allowing more open space for wildlife, the removal of the existing well from the 75 to 100 foot zone and the installation of I/A system are a significant improvements to the site along with the improved stormwater drainage plan, in conclusion the Planning Board recommends approval of this application with the following recommendations, though the existing driveway may be legally maintained as it predates the wetlands code, we propose that the asphalt driveway be brought into conformance with Code Section 133-12F6A by either replacing it with a permeable driveway or installing stormwater collection and recharge considering its location in the Near Shore Overlay, we recommend the existing plantings also being enhanced with additional plantings to stabilize the slope and that the northeast corner of the property be developed as a naturally planted buffer area of a hundred fifty square feet or greater as required to stabilize and filter existing runoff, improvements and expansion of the existing planting buffers should be designed by a registered landscape architect or landscape designer and should include plant material selected from Shelter Island's approved listing of plant materials.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Rob Herrmann of En-Consultants here on behalf of the Colases, as the Planning Board noted, there was a change in the scope of the application that Dottie had read, specifically the original application for the, demolition of the existing pergola within seventy-five foot of the vegetative buffer, installation of a firepit patio, so those activities within the seventy-five foot buffer have been eliminated so the pergola which we've established is pre-existing will just stay there and there's no patio proposed at this time, as I promised Dottie, I brought hard copies of the revised site plans in to submit to everybody, I had already submitted a digital copy which she then passed around, but I will hand out a plan to everyone so you have it now and Dottie I gave two extra copies there in that envelope for Lori; ok, thank you; thank you; this is one of those a little bit tricky applications to look at for the Board because there are, there's a larger scope of renovations that are proposed in connection with the existing house, but the house is located, in terms of habitable area, the house is located entirely __ wetlands regulated area, __ associated with the house that is within the purview of this application, is the demolition of the existing 846 square foot deck with steps, a hundred and seventy square feet of which are currently located within the adjacent regulated area, and the reconstruction of a 971 square foot deck with 252 square feet in

within the 100 foot regulated area, so there is a net increase of deck within the hundred foot regulated area of 145 square feet, the seaward extension of the reconstructed house will protrude no farther seaward toward West Neck Bay than does the existing deck and steps measure ten feet off the portion of the house that extends closest to the water now, so based on a slight bend in the wetland boundary on the west side of the property __ to the west, make sure I've got ___ the bearings correct, yeah, the west side of the property ___ one foot change in the wetlands setback, there's also a proposed installation of 115 square feet of stepping stones and you can see on the site plan that this is a stepping stone pathway that leads generally from the front of the house, wraps around the west side of the house and then runs along the proposed reconstructed deck, so there's a hundred and fifteen square feet of stepping stones that are actually located within the one hundred foot regulated area, in order to mitigate for the proposed work that will be occurring within the regulated area, the applicants are proposing still to remove a playground equipment that's in the adjacent regulated area, I'm not certain how the Town actually regulates that __ regulate a structure or not, but it's going to be removed, so that being four square foot reduction actually mimics the net increase in coverages in the regulated area to 176 square feet, and again if the Planning Board __ it's a 115 square feet of that is just a stepping stone pathway, the pathway is designed to be semi-permeable and it consists of stone pavers connected with grass joints, so this is not a continuous masonry ___, in connection with the first renovation ___ located outside the regulated area, there is a ___ system proposed, which design does include capture of potential runoff from the reconstructed deck as it attached to the waterside of the house and of course a ___ fence will be installed during construction to contain site disturbance and ___ runoff during construction ___, in response to the Planning Board's two recommendations, with respect to the driveway, again the driveway would be located fully outside the regulated area, not within the scope of this application, but they're going to have to provide drainage for the driveway regardless in connection with the building permit application and stormwater code, so we don't have any objection to accepting their recommendation in that regard, and I think we would also accept the recommendation concerning the increase in buffer area, right now the lawn goes pretty much right to the top of the bank which is a well vegetated slope that leads down to the shoreline of West Neck Bay, but there is a narrow area of trees that is currently existing just landward of the top of the bank, so we would suggest at least a five foot wide area of ___ plantings adjacent to the top of the bank which would create additional, close to 800 square feet of native plantings in place of existing lawn, and that area that would parallel to the top of the bank could then tie into this additional minimum 150 square feet that the Planning Board is recommending be established on the northeast corner of the property, I think I understand why they're asking for that because the property grades tend to pitch toward that corner and you can see it, you have it on the screen, at the top of the screen there, you can see how the embankment kind of bends toward the water and in that area the grade is kind of pitching that way, so I think they're imagining a little bit more of a robust planted buffer in that form, Marshall ___, landscape architecture is a registered landscape architect, he actually prepared this site plan for the Board so he can have them update the plan accordingly to add that additional buffer area ___ consistent to the Planning Board __, otherwise it is with respect to the wetland application a pretty straight forward application, it's fairly minimal in scope, which is what the Board is used to seeing, I'm certainly happy to answer any questions and ___ is in attendance via Zoom as is ___ architect who is the design architect for the house and deck, so if you have any questions for me or them, we'll certainly be happy to answer; ___ tennis to remain; more of a multipurpose kind of a sports ___; it'll be substantially reduced in size Jim; okay; and this is outside the scope of this application which is, it's all somewhat connected, you'll see this area of the court; yeah; appears, the existing court and that gets reduced down; wow; sport code, so there is a substantial decrease of coverage associated with the reduction and conversion of the court, the pool, to answer the other half of your question, yes, the pool would remain; yeah; now I visited there about two weeks ago and was just amazed at two things, number one the elevation up from West Neck Bay, which was, is pretty significant; yeah; and the vegetation that lies between the property and the bay, and number two is how close the house was to the property line on the north side of the house, you know it's, it is what it was, I mean it, how they got that approved, I don't know whether it's eight feet, ten feet, something like that between the edge of the house and the property line, but; yeah, I'm not sure if the house is pre-existing, I know Lori Beard Raymond did give you obviously the site plan and the building permit application prior to issuing the letter of denial and sending this year, and to my knowledge, there's nothing about the application that requires you to get approval ___, I mean obviously would have to defer to Lori, but I think she would've included that in the letter of denial; right; if that was the case; it's pretty well vegetated up there on that side of the house so the neighbors are somewhat protected from the house being that close to the property line, so ___; what would the size of the deck be if you kept it within,

outside the twenty-five foot area we're talking about, what would be the reduction from the ___; so we actually, I don't know if I can give you an exact number, again, Meryl Kramer is in attendance and she might have that number, but that was something we wrestled with for a while at the beginning of the application, if for no other reason we were contemplating the idea if there was less deck proposed, it might have avoided the need for a wetlands permit altogether, but we figured out through conversations, not just with the client with Meryl but with Lori is that the demolition of the deck itself requires the Town Board's approval pursuant to wetlands permit and of course, even reconstructing, if the existing footprint were to be reconstructed, you still have only 145 square feet less than what's proposed still going back into the regulated area and if you look at the deck, it's a bit odd shaped and the applicants have a big family, they have three kids, they want to establish outside, above and off the lawn on the deck where it doesn't require too much enlargement, I mean it's pretty modest enlargement in terms of what's being requested but it does a much cleaner appearance architecturally, it kinds of squares off as they say, the deck, and really just extends it further across the other side of the house, so it provides a nice improvement to the overall architectural feature, but also really just a livability and usability of the deck, so it was, each time we tried to hack parts of it away, you couldn't really do that in a way that made sense, so we went with this very, a proposal that is very modest enlargement and it really just ends up happening because of the way the wetland boundary bends, the way it angles toward the house, so as you extend it toward the west, there's a slightly, you know you get a bit of bigger footprint in that area; it looks like you can pick up the same amount of square feet just by coming west, it's not, it wouldn't be unduly narrow if it stayed outside the regulated area, it seems but I can't really tell __; well the deck now, the deck that's proposed off the seaward side of the house is just fifteen feet, so there's, an 18 foot dimension that you see includes the steps, so the actual usable deck portion is 15 feet wide which is basically what the existing deck is now; right; but again, you just have that, the fact that it's not a continuous shape, so as we worked through it, we tried to be careful to design it so that we're not actually protrude, the deck is not in fact moving closer to the bay, it's gonna have the same seaward extension off the house as the existing deck and if you look at the top of the page, right under that says proposed 21 square foot wood landing and step which is just outside the regulated area, you see that ten foot dimension, so that ten foot dimension is drawn out to the seaward edge of the existing deck steps and that ___ same seaward encroachment as the proposed deck; um hum; in terms of being here for that permit and being here for that slight enlargement that we're asking, that brings with it the mitigation, particularly if it is the Board's pleasure for us to add that additional planted buffer adjacent to the top of the bank because I think that the net result from the Board's perspective is that you know, would rather see this modest change in the deck and have this more significant, real vegetation occurring with what is supposed to be the vegetative buffer to begin with but they have a pre-existing lawn, so when we approach these sometimes, we try to figure out the idea that if it were designed in a way that didn't need your approval, then you wouldn't get the mitigation that comes along with that so ___ my approach to these things, is there some real material improvement that can be made in the property to balance what the applicant is proposing, and obviously we had the storm drainage and we designed the pathway to be grass joints and all that but I think the additional vegetative buffer adjacent to the top of the bank would be real incentive for the Board to allow the increase in the size of the deck, we're really at the outer limits of the regulated area; yeah; you're talking about five feet; yeah, I think, exactly, I was gonna say I think the wetlands setback is ___ something feet; right; so, and we did, and frankly we spent a lot of time having the same discussion to begin with and you know what makes sense; I can only tell you Rob that the twin is, especially from the CAC and one of the chairmen is, Howard is in the back, is about the 75 and 100 foot setbacks that they're looking for the Town Board to be more restrictive and more supportive of their recommendations about keeping things out of there when possible; yeah; so you can anticipate that in a week and a half on December 13th when they meet that I'm sure that committee will say something about that, again the tradeoffs are a tactic, I don't want to say a tactic, but again, the tradeoffs are real, they're important; oh yeah; and they're significant, but I think we are trending away from that kind of thing and being, again more rigid, more in line with what the DEC is looking for us to do and so, just anticipate that there might be; oh yeah, and Jim, we completely get that, in fact that was part of some of the thinking that went into removing the proposed firepit patio and of course ironically then the Planning Board said well, maybe we would have liked that instead, but we're really trying to limit this and doing this here and in many other towns what you always have to keep in mind is if it reaches the point that if you don't have any work occurring within the regulated area then there would be no wetlands permits and then there would be no opportunity, in other words if there was a strict prohibition; right; no construction within a hundred feet, no variances, etc., there really then is no need for this process and there is no opportunity for the tradeoffs and so that's what we try to do is try to always have the regulators keep those tradeoffs in mind because, I know what

you mean, the characterization of the term tactic; yeah; but at the same time, they're incentives; yeah; installing I/A systems, installing improved drainage systems, increasing or I should replacing pre-existing maintained lawns with native vegetation, these are incentives, not just Shelter Island, but with all the other towns we work in use to try to create some real property improvements closest to the water where the structural changes really are no different and the reality is whether there's a 145 square feet more or less of this deck is not gonna have any material impact on the quality or function of the wetlands but having improved drainage does because it reduces storm-water runoff, having potential for additional vegetation between the lawn and the bank does, so those are real, those are material tradeoffs, those aren't just superficial window dressings designed to get you to say okay; um hum; so the bottom line is CAC is concerned with ___ amount of buffer is the offset; yup; and we have to wait on them; and we certainly, we have a landscape architect on board and we've worked with them many times in terms of ___ ability to __ if the CAC has material input __ increase in deck size and we ask for specific recommendations or guidance, we'll certainly see what that is; sure; and hopefully design accordingly; ok; I want a clarification, that tennis court ___ will be reducing it down to this small little area; right; it's just going to be a play area, so that where the tennis court is, that's gonna all be ripped up and lawn; in effect, the tennis court is being removed; yeah; the end result is ___ placement ___; yeah; so I don't know, I don't know what the proposed landscape design is for that area in place of the tennis court but again, that part is so far outside the regulated area; sure; it's not something we; I'm just thinking about water recharge because it's a large area; yeah; the existing tennis court that's there now, is it semi-permeable or is it a hard surface; Jim that I'm not sure; okay; __; I thought it was asphalt also, yeah, because it was a hard court because it was painted, it was painted blue or something wasn't it, yeah, like it wasn't painted that long ago and it was probably painted about two or three years ago; and I think the liaison via Zoom, so if you want an answer to that now; no, no, that's alright, that's not important; Howard; ___ get a copy of that, I'm Howard Johansen of the CAC, the only question I have is that package we got from the Town did not include the ___ and we'd like to see, assure ourselves that ___; okay; okay; yeah so just to clarify that, I'm glad he brought that point up cuz I had meant to make a note of that and I forgot, so because the septic system is outside the regulated area, it was not part of this application and so we didn't submit a copy of the health department permit but then I was contacted by Dottie and Lori and we subsequently submitted it digitally but I don't think it made it to the Planning Board or the CAC, but Dottie; do we have that; yeah; so if for any reason that's not the case let me know and I can resend it but you should have it; that's a big selling point; if you want, yeah, no and again you know that's speaks to part of what I was just talking to Jim about but again, that's associated with work outside the regulated area; right; we didn't get into that; sure, okay; thanks for hearing us; okay, we're not gonna close it, we'll recess that hearing because we haven't heard from the CAC.

The Supervisor declared the public hearing recessed at 5:10 p. m. and called to order the public hearing to be held as advertised on the application of Alain and Ellen Roizen, 153 North Ram Island Drive, for permission to remove and dispose of existing lower platform, install an 8,000 pound boatlift in location of lower platform, elevate existing dock 2 feet, redeck with un-treated lumber and provide for water and electric.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: I think it's on the, no, it was actually on the November first, I think it was approved, right Dot, to the best of my knowledge; I think so, yes; yeah it was approved, yeah.

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 5:13 p. m. and called to order the public hearing to be held as advertised on the application of Gregg Pasquarelli, 30 Little Ram Island Drive, for permission to install a mooring in Coecles Harbor in front of applicant's property at a location designated as latitude 41.0801174° north and longitude 72.303073° west; said mooring location was formerly occupied by the C-2323 Montgomery mooring.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: I think that's on for Monday, yeah.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor recessed the public hearing at 5:15 p. m. and called to order the public hearing to be held as advertised on the application of Charles Magill, 89 North Ferry Road, for permission to install a mooring in West Neck Bay off the Cackle Hill landing at a location designated as latitude 41.064603° north and longitude 72.364641° west.

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

The Supervisor called for the report of the Waterways Committee of the Town Board, which was as follows: yeah, Magill is on the agenda for Monday night; okay.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor recessed the public hearing at 5:18 p. m. and called to order the public hearing to be held as advertised on the application of Nathan Graf and Marisa Ryan, 12 Petticoat Lane, for a wetlands permit to construct a second floor over existing first floor within wetlands regulated area; no outward expansion of building within regulated area.

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

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

Councilwoman Brach-Williams gave the Planning Board report as follows: they visited the site on November seventeenth and made the following observation, the property sits on a low lying area with the grade around the foundation at an approximate elevation of six feet, the house is rear view, focuses on the freshwater wetlands, the new I/A system components are visible __ the house appears to be heated by oil with the tank being located in the basement, not in the ground, the accessory structure is heated with propane served from a buried tank, the main house's foundation was constructed from concrete blocks and appears to be in good condition, the recommendations were, we recognize the Petticoat Lane area is environmentally sensitive in regard to water quality and quantity, we applaud the homeowners installation of the I/A sanitary system with the shallow leaching field, the applicant is also proposing roof stormwater collection and recharge into two new drywells, wire backed silt fencing is shown but it should potentially extend behind the house over to the garage, the plans say the existing first floor will be renovated on top of the existing block foundation, there have been numerous applications in which the homeowner has proposed to maintain the existing foundation but later determined that the foundation is not adequate and needs replacing, if that determination is made, the new foundation should be relocated further from the wetlands and the bottom of the cellar slab should meet New York State code groundwater separation requirements, with these considerations we recommend approval of this application.

Councilman Colligan reported that the CAC is scheduled to meet on December 13th on the application.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Matt Sherman with Sherman Engineering & Consulting, I'm here on behalf of Nathan and Marisa, this application is really fairly straight forward, it's an existing three bedroom, one bathroom residence, everything's on one floor, just a typical small ranch style house, we're looking to put a second floor directly over top of the first floor, the two, two of the smaller first floor bedrooms are gonna turn into a master bath and a set of stairs to go up to the second floor and then on the second floor you're gonna have two bedrooms, a bathroom and a home office, a few years ago the property owners had put an I/A system in with a pressurized shallow drain field, so the perfect kind of system for this kind of property, they did that in conjunction with another project where they were putting in an accessory building, a garage with accessory sleeping, that project has been completed, it's on the right hand side of the property and they, you've got that accessory building, you've got the main house and then you've got the wetlands to the left, so it's a really, you know; Matt when was that done; that was done over the past two years or so, they just basically completed it this past Spring, it's all very new; did they get funding for this; no, I don't believe they did; not from the Town; no, cuz it was, the septic was put in to facilitate this new building so it would have been seen as an expansion of use, so they wouldn't have been eligible for Town funding on that; the County and State ___; okay thanks; the stormwater collection we're looking to collect for a two inch rainfall from the roof area, stormwater drywells installed as far from the wetlands as reasonably possible, we've got the supply well on

site, that new septic, all that was approved through the health department, the DEC had initially given us a permit to do a first floor addition, about a twenty by twenty first floor addition, that would have been a significant four hundred square foot increase within the vegetative buffer, we decided not to go that route and go back to the DEC and ask for an approval to do the second floor so that there is no addition to the site coverage or impact on the neighboring wetlands adjacent to the house; so Matt is the I/A system sized to handle this; yes, it was sized for the three bedroom house and the two bedroom accessory, so a total of five bedrooms, we're not adding any bedrooms to the property with this project, so it's still at five bedrooms; and did you hear the recommendation from the Planning Board regarding the, if they have to dewater; oh yeah, that's fine, that's not a problem, the foundation is in really good shape, it's a block foundation, yes, but it's relatively shallow, it's got about six and a half feet of headroom in the basement, the blocks are all solid, first floor framing is solid, the, I don't know if there's a double top plate on the first floor but if there, at the most we would have to adjust the existing first floor framing with a second top plate in order to put the second floor deck on top of it, but it's all in very good condition so if by some miraculous circumstance we do have to adjust, take the whole building from scratch, then certainly we will do just that, start from scratch, redesign and get things, you know we'd have to come back to the Board obviously to do it, but get a permit to put in a building that's further from the wetlands than the existing building currently is, the thing with the silt fence, we just, I brought it around to the back side of the building just cuz that was a logical stopping place, but adding another hundred feet of silt fence to bring it around to encompass the back side of the building is a non issue from our perspective, that's not a problem at all; okay; Howard; can I ask a question on this; sure; Bill Gereghty, I just had a question on the ancillary structure on that property, is it, it's just more than just bedrooms, right, there's a kitchen and it's rented out as a separate home; no there's no kitchen in it, there is on the first floor there's a full bathroom and a living area, on the second floor, there's two bedrooms and a full bath; no; I don't know, I don't believe it's rented out, I don't think they're allowed to rent it out; yeah, okay, I live around the corner, it's occupied by a separate family as far as I know, okay, does anyone inspect that building to see if there is a kitchen facility in it before they go ahead with improvements to the other building; I think we'll have to do that before they issue a building permit; okay, thanks; hi I'm Howard Johansen, I only have one question, the existing A/C system is in the wetlands within a hundred foot and if you go upstairs __ probably larger air condition for the second floor ___ Matt to put that air conditioner ___ hundred foot; thank you; if I heard, it was kind of hard to hear Howard but if I heard him correctly, it's about if we're adding a second A/C unit, if we could put it outside the regulated area; um hum; is that correct, okay; that's correct Matt, but not only if you're adding it but to remove the existing one, move it over outside the regulated area; okay.

The Supervisor recessed the public hearing at 5:24 p. m. and called to order the public hearing on the Local Law regarding revised septic requirements.

The Town 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: ok, just real quick, IAOWTS stands for Innovative and Alternative Onsite Wastewater Treatment System and the SFLA is square foot living area, Jim, do you want to speak on this; yeah, if Al Dickson was here, obviously he was the person that he was, he's not feeling well, but he's somebody that when we went through the original five recommendations from the Town Board, the Town Board, three of the four of us agreed on items numbers one and two and four and five, but we couldn't agree on item number three which basically was changed, so we had a meeting between the Town Engineer, Albert and I, we redrafted that number three, and what the thrust of it was trying to get rid of some of the loopholes and to encourage a more timely replacement of these old systems, interesting enough, I just had a catastrophe, a minor catastrophe Monday night when the septic started to come back into the basement, it's happened now three times but I need that like a hole in the head on Monday night and I called up the to have the plumber come over and Jim Williams came over and took a look at it and the septic tank wasn't filled but it was pretty much filled and so therefore we called and we had it pumped out for the second time in the last three and a half years, but the house, you're looking at a house that was built fifteen years ago or sixteen years ago, a lot of the septics that we were looking out in terms of trying to get replacements and upgrades for were septics that were thirty, forty and fifty years, that were cesspools basically, they weren't any kind of modern updated kind of even conventional system, so we looked at this and came up with those recommendations for those three things and what we added that, we were talking about adding an existing nonconforming septic as determined by the Suffolk County Health Department, the increase in the SFLA by over twenty-five percent

which is significant, so if you went from a house from three thousand square feet to four thousand square feet, that would impact that, and the last one was the increase in the number of bedrooms as defined by the Suffolk County Health Department that exceeds the allowable number on the permit, that's why the Supervisor just asked the question that he did to the architect, saying is there any increase in bedrooms and he said no, we're keeping the same five bedrooms because whatever that system is authorized to do, if you start adding an additional bedroom above that, that would necessitate the introduction of a new I/A system if you are, if your septic was only built to handle four bedrooms and you were adding two additional bedrooms up to six, then obviously you would have to have the I/A system put in there, in the big picture I guess, the County, for the most part, the vast majority of Suffolk County is not on some time of, they rely pretty much on old cesspools and old septic systems and they don't have a treatment plant that collects all this stuff so we're talking about literally hundreds of thousands of systems in the County, they'd have to be replaced, there is a nitrogen issue, obviously, here in the center of town, the Town Board is working on that nitrogen issue, we are also trying to embrace the fact that we want to keep up with, keeping the systems, these new I/A systems in the ground, I think we went over the one hundred new I/A systems about six months ago, Meg, what's the latest number that we're at about right now; __ 130; about a hundred and thirty and how many more applications would you happen to have; __; easily a hundred and fifty, so we're talking about that hundred and thirty that are in the ground and Larsens have been pretty much the, probably installing maybe eighty percent plus of the number of I/A systems in the ground, we are getting more and more companies off Island that are coming in to do this, the goal was to get this done by 2050 and I, originally there was talk about 2070 and then they were talking about 2050 and now our goal as a town is to try to look at the number of the next decade, looking at from 2020 to 2030, how many can we get, can we get a vast majority of these old systems now with new I/A systems because obviously, and that's not the only problem we have on the Island, I live in Silver Beach and obviously the big problem down there is salt intrusion, so we have a two-fold problem here, we have a problem with nitrogen primarily in the center of Town and we have a salt intrusion problem on the periphery of the Town in the near shore areas, but we're actually have a plan that's working on trying to attack both of those issues, so this is an attempt, and I think Al was, he's not here to take credit for it, but he really was the person kind of pushing this on behalf of the Town Board to get this done before he left, so we did tone it down a little bit because his original recommendation was much more stringent and we softened it up a little bit and we think we have something that's pretty fair and just, so does anybody have any questions on the I/A systems at all, just a work, we have not received Amber anything back from Thiele on the 1099s right; uh no, it's actually a federal law; that's a federal law, okay; ____ so if that happens, there is a line item ___; okay, yeah, did everybody hear that, that would be kind of important on any kind of green initiative whether it's solar or wind or anything else like that, you wouldn't be taxed on that, so if you're getting grant monies, let's say the system cost twenty-two, twenty-three thousand dollars to put in and you happen to be getting fifteen, twenty thousand dollars of grant monies, they were considering that income and you were paying taxes on that, if this initiative goes through, we're successful, obviously, you can't have it both ways, you can't want to encourage people to do something responsible and at the same time then try to penalize them and by the way, people in good faith, two and three years ago that took the initiative to do this were not aware of the fact that this was gonna hit them; ___; it was designed not to initiate some type of 1099 from the tax people, anybody else have any questions or comments, Meg who will be on the Board in the next matter of weeks will be our local authority on I/A systems; anybody on Zoom want to say anything.

The Supervisor declared the public hearing closed at 5:52 p. m. and called to order the public hearing on the disposition of 9 Cozy Lane.

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

The Supervisor opened the hearing for public comment. Some views expressed were as follows: we sent out a certified letter return receipt requested and it has not been served, so I think the next step is we're gonna have to employ a process server and try to physically serve papers; yeah, we're going to have to personally serve the owner, I had spoken to Chris but he's dealing with some medical issues today, so I'll speak to Reed and I'm not sure when Chris will be back; okay; the tricky thing about this obviously is the inability to be able to contact the owner, we have sent out for the last three years, certified letters to the owner of 9 Cozy Lane, if you go by down 9 Cozy Lane, the roof is literally caving in, the back door has been open about two and a half feet, there are animals going in and out, there is black mold all over the inside of the house, there is more insulation hanging from the ceiling and from the walls, the place is in very bad state, it's

about to collapse, a good heavy snow might just bring that house down, but obviously the neighbors have been more than patient, we haven't seen the owner on the property in the last three years, attempts have been made, Chris Tehan actually visited that home, inspected from the outside, he couldn't get, he didn't want to go inside the house because the house is unsafe to enter and that's why we put the sign on there about a year and a half ago, unsafe home, do not go on the property, but there is some, in the garage, there is some valuables, so obviously we would like to get a hold of the owner, I will tell that the taxes have continued to be paid on the house, the assessment for the house has come down because the house is not worth anything and in fact, the house is detracting from the overall assessment of the property which is point eight six acres, almost a full acre, and I just want to take my hat off to the people that live around there because being president of the Silver Beach for the last eleven years plus people have been more than patient trying to work this thing through, but now the Town is actively involved, we definitely want, we don't even know if the owner is still alive and whether somebody else is paying those taxes so we're on it, we're going to try to bring some type of resolution to it but we would love to be able to contact the owner to be able to remove some of the valuable out of that garage area before we raise the house; also just so everyone's aware, it says in something that we're condemning property in total, we're not taking the land; right; all we would be doing is demolishing the house for the sake of, that it's become unsafe; yeah; the land itself, an acre in Silver Beach, that's not right on the water but it's a very good piece of property once the house is leveled and it will be worth something I guarantee you; so Bob; yes; the cost of that demolition to the Town, go through with it and it's a lien against the property; correct; yes; yes, so everybody hear that question that it would be a lien, if the Town actually takes the house down, whatever it costs the Town to do that, there would be a lien on that property, and the Town by the way, just for everybody's edification, for the last two years we've been cutting the, occasionally, not obviously every week or every month, but if trying to go over, trees have fallen, we've cut up some limbs, we've tried to fence off the house to make the house so nobody would get, kids or anybody else would get into the house because literally the porch, if you would ever step on the, you'd fall right through, I dare say there's so much damage in the house, if you were to walk into the house you'd end up in the basement and we don't want to see something like that happen, somebody injured so that's why that fence, that kind of ugly orange fence has been up there but it was a warning to keep people away from the house itself; okay, any comments or questions on this one; yeah, Bill Gereghty, I had a couple of questions on it; yup; is there any particular reason why we're going through a Chapter 45 and 43 as opposed to condemnation; we have no justification for taking the land, it's a safety issue and which is something that falls under forty-five; have we ever prosecuted a Chapter 45 before; I'm not sure, was the Boylan property a 45; I'm not sure how that was taken; not for the last couple of years, we have, there a couple of scenarios where we have taken things down, I think it was Chapter 45, John Boylan, although that was with the consent of the owner and there was the taking of; Volunteer Park; Volunteer Park, but that was a tax issue as well, so it's a little bit different than what we've done in the past; yeah, I was, it just seems that the Town goes in and knocks the house down that you might have a taking issue, claim, but that's why I just asked if we'd ever done it, if it's every been done successfully before; we are making sure we actually contact the owner and serve him properly; do, so he pays his taxes, do we, on the check that he pays his taxes with, is there an address on there other than his Shelter Island P.O. Box; we have an address, we have a phone number, we just, he doesn't respond; I have all that information but in terms of the taxes, I asked the same question, by the way, Bill Gereghty is a neighbor that happens to live across the street from the house, so people that don't know that he lives on Cozy Lane, but I went to the Assessors' Office, the Tax Collector's Office a year ago asking that very very, same question, who is paying the taxes, where is it coming from, where is the return address there, do we even know if this man is still alive that owns the house because I don't think his name was on the check what we were getting, they were paying the taxes, so I did ask that very question Bill over a year ago and that's why it is a unique situation, we do want to be very cautious on it, I'm not real comfortable until we actually make some type of contact with either the owner or the owner's family before the Town takes action because I'm not looking at having another lawsuit that the Town is facing, so we're gonna do everything within, that's why I've been saying for the last month, let's do everything within our power to make sure that we have made every effort to contact either him or other family before we take any definitive action on the house itself; so the mail goes, I believe he's got a P.O. Box on Shelter Island, do we know where it's getting forwarded to from there or is someone picking up the mail on Shelter Island, do we know those things; we don't, we believe it's being forwarded but we don't have an address; well we do have an address; we don't have a forwarded address; yeah we do, we sent it to Maine, we sent it to the Maine address; 36 Hillside Avenue, South Portland, Maine 04106; we have an address but it wasn't something we got from the post office, I just want to make that clear

because they could get in, there would be a problem if they gave out that information; right, okay; because what I'm thinking is, so we knock it down, we get a lien against the house, the Town would then assess that and it would be taxed, it would be part of his tax bill that he would be required to pay, I assume, that's one option under section 45, Chapter 45; yeah; so if he didn't pay his taxes then ultimately they could, the Town could take the property that way or put it up for tax sale, right; right; potentially, up; I'm just trying to figure out which is the more efficient route, whether it's to go through eminent domain or Chapter 45 because it seems we might get to the same result without having to go through the expense of knocking down the house; if we go through eminent domain, we basically would be requiring to pay __ with the approximate value of the land, that would end up being more expensive; yeah, but then, either way, I don't know what the Town ultimately intends to do with the land but if they do get the land, but as Jim pointed out; we're not looking to buy the land, we're looking to take care of a dangerous situation; I know but what I'm saying is you're then gonna assess, you're gonna have a lien against the land and if he doesn't pay it, which he may not, then where are we, our solution at that point would be, I guess to take the land; that's a lengthy process, and in the meantime the dangerous, the danger has been removed; right; which is really the whole point, so the fact that the other process might take some time is I don't think that material; right; I think they're both gonna take a lot of time but; right; do we know if there's a basement in the house; I have no idea; I'm not certain on that Bill, I could tell you that the land value is three times the price of the house, what the house is assessed at now, I won't give out the exact numbers but it's, the land is really seventy-five percent of what the whole house and property is valued at; yeah, I was curious as to why the assessment was reduced, is that necessary, did the owner ask that it be reduced because it seems that we gave up leverage, we should have kept his taxes higher if we could have and made it more difficult for him to continue to pay for property that is just falling apart; it was part of a periodic reassessment of the entire area, if we left that out, that would have been a situation where we were singling out a single person; ___; anybody else, go ahead Bill, sorry; I just didn't understand, it was not a specific reassessment of that property, it just came down as a result of the overall area being reassessed, is that __; yeah; the whole Island is annually reassessed; I see; I'm not certain though Bill, to be very honest with you because it was my understanding that because the house had deteriorated to such a state that the assessment had gone down, I may be wrong though, I could be wrong on that; that's correct Jim; yeah, because I looked at the tax structure of what it was and it has been heading downward, not upward; yeah, it just seem ironic that we're spending money and time on this and what we're taking in for the property is going down but; the only thing I can, Bill, any suggestions that you have since you are an attorney that you want to share with Bob DeStefano, I would encourage you to do so and that goes for any attorney that's out there on handling this case so if anybody has some good ideas or resolutions that you would like to share, I think Mr. DeStefano would be more than happy to hear from you on this because again I; I appreciate the Town's in a tough spot with this, it's a difficult situation, I'm just trying to find out where we're at but thanks for the time, appreciate it; thank you.

The Supervisor recessed the hearing at 5:45 p. m. and called to order the public hearing on the Local Law to revise definitions.

Councilwoman Brach-Williams read the public notice as advertised in the Shelter Island Reporter.

The Supervisor commented as follows: we have received a number of emails with a lot of concerns and I just want to go over two things, I want to go over how we actually adopt laws and revisions and the history of this particular work, the Town Board discusses the topic and decides that a law needs to be created or revised and number two, an initial draft is created, that draft is discussed at work sessions until the Town Board is satisfied that it reflects what they want to accomplish, this initial draft will be published for the meetings and used at the work sessions, a final draft is posted on the website, it will be marked final for hearing, notice of the hearing and posting of the text of the law or revision shall be no later than three days prior to the hearing, the reality is we do this a minimum of two weeks before the hearing, a public hearing is held, the hearing may be closed or recessed, as you saw tonight, most of them were recessed, the Town Board decides if the matter is ready to move to a vote or if further discussion is needed, the options are recess the meeting which then can be further discussed at work sessions and the reconvened hearing, close the hearing and further discuss among the Board at a work session and vote at the next meeting or special meeting or close the meeting and vote immediately, we usually don't, it's very rare that you vote immediately, once the law or revision's passed, it shall be filed with the Town Clerk who shall post the law and file it with the Secretary of State, so it's a procedure, it’s

not, you don't set the hearing, have the hearing and vote on it right away, sometimes we've been told we take too long to act on things, but we try to get as much input as we can before we do act, as far as this particular thing, again we've received a lot of emails and there's a lot of question what we're doing, I want to give you a little bit of history, this topic was first discussed on September 8, 2021, in reality, Bob and, I discussed with the Town Attorney a month before the election of 2019, 18, before I was elected the first time, I met with the Town Attorney and went over things that were outstanding in the Town and that needed to be done and one of the first things the Town Attorney told me was, we need to work on the revision of the definitions for the Town and it wasn't something that we got to until now because quite honestly, Covid set us back at least a year, so we're doing that, the document was originally drafted on September 10 of this year, an article appeared in the Reporter on September 15th of this year, we've had discussions and it was on the agenda for eleven work sessions, the full law was on the website from mid October, on a hearing was set November twelfth and the proposed law was in the newspaper November 18th, sixteen days prior to the hearing, so I, again, I think we're being very transparent, I think we're trying to do as much as we can to make sure everyone understands what's going on, it seems people think we're trying to sneak things in which we're obviously not, we're not dealing with the code, what we're dealing with the definitions so when we get to the code, we don't have to spend a lot of time on definitions, I understand that there was concerns that it was sloppily done, and I'll take the blame for that cuz I didn't proofread everything as well as I should have, we made some documents that are available on the website, we'll share some of then tonight with you, the first one is, we put together a document that has category, chapter code and definition, what this is we have every definition we addressed with the revised definition and the definitions that we're, the same identical definitions that we're taking out, where we're taking them out from and then on a separate document Bob has what some people had asked for a red line document, why we took it out or why we moved it where we moved it, so those will all be available on the website for anybody that wants it, we, just to give you an example, real quick, advertising was in two places, we put it in one place, bed and breakfast was in a number of places, dwelling was in a number of places, lot was in a number of places, immediate family was in a number of places, owner was in one two three four five places, parking stickers we're taking out, permit we're taking out because we have a better definition, resident one two three four five six different code items it was in, so again, we're trying to make it more efficient, again this all goes back to, and I think I've said it probably almost at every meeting that things have changed to the point where and I reference Alfred Kilb all the time that Alfred always says you know the Town works, we know how to make it work and it works, but things have changed to the point where people say well that's not what the code says or you're not following the law, you're not doing it the way it's supposed to be done, so that's what we're trying to do is make what we do and what the code says, the same thing, so we're starting with the definitions and we're gonna go forward from there and we're not gonna address the Zoning Code until we get the Comprehensive Plan back in place which we hope to do after the first of the year, so if anybody else wants to speak before we open it to the public; yeah I have, I just want to; ___ finalized; no this is a hearing Barbara, we're not, this is nowhere near finalized; __; no it's, that's what I'm trying to explain, the word on the street if you will is that this is a done deal, this is the beginning, this is the first public hearing to address this; ___; at work sessions, that's what we do, okay, I'm sorry; ok Kristina; so I had a question about this, cuz we are gonna post it so I just want to make sure I'm understanding how to read it and that might help others, so if we look at Building Inspector ___ on the screen; okay, yeah; so we look at Building Inspector, that's a definition we're making so that's what the revised is; okay, so the highlighted one is the new definition, the bold one, it says revised and the other ones are, was in those separate sections and those were eliminating, okay; yeah, that's what I wanted to ___ and then cellar, since it's on there and it's highlighted, it's just coming out entirely; if it's highlighted with that color, it's coming out completely; that was changed; and on Bob's document it tells you why it's coming out; yeah; the question was why not have had a red line version to begin with, it's okay if it's not there and now you're giving a red line version, it's gonna be much easier to be able to look at it and understand where the changes came from and then also why you're making the changes, but for most people here tonight, they're not aware that there was no red line version; right; and there was no way to easily follow it but it's a massive amount of work to change; right, and we realized that and we did that, we tried to do that to make it easier; the Board specifically asked for a red line on this one; okay; ordinarily they aren't done because the bulk, the new sections and the stats, the sections that are being removed are both cited in the statute and it's easy enough to look them up on the internet on the website; ___; mike, mike; you have to come up if you want to talk because there's a lot of people on Zoom and they're not gonna be able to hear you; okay; anybody else want to speak here before we go to Zoom.

The Supervisor opened the hearing to the public and some comments were as follows:

yeah, I got a, is there a Bill Maestro here; he's online; well Bill Maestro wrote a brilliant letter today, I guess it was some time recently regarding the subject, probably speaking, but he pointed out the need for a red line copy and you're saying that you just posted it today; we just finished it today; you finished it today and this is a public hearing for what we're talking about; a public hearing; so one of the requests that I think a lot of people in the Town are asking is that this public hearing be postponed; it's not gonna be postponed, it's gonna be recessed, this is the beginning; okay; do it again, yeah; be recessed to another time so that they'll have an opportunity in maybe several weeks or whatever it is to review the red line version that's just been posted today; yes; and it's not yet up on the website; alright; we have to get it up; one of the things that Bill Maestro had suggested that this become a best practice of this Board because I've seen legislation passed like this where you could, I'm a lawyer and it would take me hours to figure out what was posted versus what changes are being made in the code, here you're talking maybe seventy different changes and I think you may have misspoke earlier saying that the code is not being changed, you're only changing the definitions and you're gonna look at the code later on, well when you change the definition, you could make material; I would say 80% of it is consolidating, not changing definitions; well; moving them into, getting them out of all the different categories they're in, putting them in a definition category and consolidating them; alright when you consolidate something, that can have a material change on the outcome of somebody's home, for example, so this is why the community needs to follow a process where they can understand what's going on and you don't have to be a lawyer or hire a lawyer to do a red line on these kind of things, so it's very important that it's done and I'm glad it's finally come up in this context but whether it's consolidated or changing of definitions or eliminating a definition, you are making substantial changes potentially that you may not even have perceived when it comes up and now interpreting a provision of somebody's house or a business or whatever, so I think you've got to be really really careful about code changes and I'm glad the community has gotten together because emails are flying all over the Town over this and I don't even fully understand it, I went to the website today to look for the law that you're discussing and I couldn't find it, now I do it on my phone and I did it earlier this afternoon, but I couldn't find where it was, there used to be a section called documents or something; yeah; and I couldn't find that section, what happened; it's, yeah the website, you know we're continually trying to make it more user friendly but I guess this is one instance where it was not but if you go to, I've just brought up on the screen so everyone can see it, if you go to government at the very bottom, upcoming hearings and pending laws and so then we have the list of the different items that are; okay, may I suggest that in addition to that section which I couldn't find, that you add it into the section where it says meetings, click on meetings; okay; and click on, scroll down and click on this meeting and then right, not maybe there, but right under it, if you're gonna be discussing things at that meeting, maybe that's where it should go because that's generally where people are gonna be looking to find out what's going to happen at that meeting; yeah, we can change that and also historically the tab that we used to have for pending legislation was not getting very many hits, so; it was a separate one; yes, but it was, we were looking at things; I found it like a few weeks ago, I noticed, but I couldn't find it today; yeah, but as we started to look at things, we're trying to look at metrics and sort of see what people are looking for when they come to the Town website, so that wasn't something that was getting a lot of hits, but obviously now there's something that it would be getting a lot of hits; alright __ more about the user interface so that it makes it easier for us to figure out what's going on, thank you very much; Lori; hi, I am Lori Raymond, I just want to be clear that I'm speaking here today as a resident, not as a Town employee and I do not represent anybody but myself, and I am asking you, the purpose of my speaking today is to ask you to delay the adoption of this ___ definition, I think there is a lot more work to do, it will take time and public input to prevent miscommunication of unforeseen circumstances, in essence of time today, I have somewhat of analyses of the proposed definitions, I'm not gonna go through all of them because that's just too much, too many definitions, but I have prepared a few examples for you, first example is places of lodging, that definition is being pulled out of chapter 36.3 which is beaches and parks, however, the definition being proposed for new chapter two includes rentals and guest cottages which in some cases conflict with chapter 133 because not all sections of the Town code under zoning allow rentals of accessory sleeping structures, such as 133, 60A and 133, 7EA, unless it meets the criteria of 133 17 or they're not allowed to rent it at all in certain sections of the Town; for short term; not for anything, that's correct, they are allowed to rent the main house, but you're not allowed to rent an accessory sleep structure in most sections of the current Town code in Chapter 133, another example would be a certificate of occupancy and certificate of compliance, those two things are very different, you've combined them all into one, your proposed definitions says a document issued to the owner of the premises __ that the premises has been built and maintained according to provisions of the building or zoning code, c of o is evidence of the building complies substantially with the plans and specifications that have been

submitted to and approved by the local authority, however, the definition of substantially is for the most part, it does not mean in its entirety, New York State building code's definition, a document is issued by the authority having jurisdiction that the building complies with the approved construction documents that has been submitted to and approved by the authority having jurisdiction indicating that is in the condition suitable for occupancy, which means it fully complies with the plans and specifications that have been submitted and approved, not partially, so I asked, not expecting an answer, why would the Town want to be liable for construction that only partially complies with plans and specifications, there is also a mechanism during construction for changes that are made once the building permit is issued so that's a different topic entirely, definition of a c of c in the New York State is a successful completion of a housing inspection, Chapter 133 recognizes the definition and limitations and the differences between the inspector being able to certify the building complies with plans and specifications due to its age and no plans are in file because most likely the structure was erected before the enactment of the New York State Building Code, plus Zoning, use or pre-existing condition can only be certified for zoning or if life safety visible feature such as smoke and carbon monoxide, so those are two very different things and what has been written is something entirely, the same thing goes for variance, the word variance has been, it looks like it's being repealed out of Chapter 68.4 for Flood Damage Prevention, the proposed definition in the chapter, the new proposed chapter 2 says, a grant relief from the requirements of the Shelter Island code which permits construction and the use in a manner that would otherwise be prohibited, however, what's missing is the nuances between a use variance which is very different from an area variance as defined in Chapter 133 which is the Zoning Code, the current definition as written in Chapter 68.4 cover both the use and area variance, however that's not what you've written and it doesn't have any conflicts with Chapter 133, so if you change this as it's currently written, it will indeed conflict with Chapter 133; there is currently no variance definition in Chapter 133; there is, there is an area variance and a use variance; well there are specifics and there's chapter variances would override this; but the way; they're not being removed; but they way you've written it, you've written it as a use only; right; in the definitions, that's the difference, another example, and I have many, so, please stop me when you've heard enough; I was gonna suggest, I'm not looking to cut you off at all because I think some of your points are very well taken, but I'm gonna make a broad statement, I think what the Supervisor said, it's a beginning, little sloppy work for the first two months, the Board has to take responsibility for that, I think we, by not being neat and clean for the last two months, we've set this in motion, we apologize for that, we're looking to rectify that, these are some major changes, there is a domino effect or potential domino effect when you change a definition, how it impacts other areas of the Town code; absolutely; so you have to be very, obviously very careful, very diligent, so I propose, being a coach, go back to the team effort in wanting to put together the best minds and help our Town Attorney and the Town Board, making constructive comments where you see fit, and let's keep moving along, whether is takes us a month or a couple of months to get this done, the idea is to get it done to the best of our abilities, our abilities meaning, not just the Town Board, but everybody that's here and again if we, if it's not a hundred percent accurate when we enact it, and it has to be tweaked, it has to be tweaked, but obviously you've brought up some great points and some good illustrations and I think the people like yourself, not as a private citizen but now as a Town employee and who's very well versed in Town code can work very closely with the Town Attorney in terms of making these kinds of recommendations; on thing that's really important with regard to this __ and I want to make sure we don't get off track on is we should remember that in doing definitions we have to keep it to the very basics of the definitions, we shouldn't be getting into what, trying to deal with code issues, like area variance is a perfect thing, it should be a very basic definition of variance, then there should be area variance and; right, well how it's written in that original chapter, it's written correctly so either you've left a couple of words out Bob or you've written something else but what you've written has a different meaning than what is in there now; okay, but those are specific to whether they're area variances or; so I hear what you're saying Jim and I have a couple of other comments and not in particular to any specific definition but I am not in favor of creating a new chapter two because I think it's going to cause a lot of confusion because as a resident or somebody who's not familiar with the code or with different chapters or even the definitions for that part, it's gonna be trying to use the code to look up something and that, if you create it in the chapter two, but some of the definitions are still in the other chapters, some of the definitions are now in chapter two, they're going to have to look in multiple places and they're not gonna know what to look for, I deal with the public a lot and I think they're gonna be confused, I mean for me to go through this and bounce back and forth, I do recognize and I agree with you one hundred percent that the problem with our Town code is we have multiple definitions in different sections of the code for one word; right; and that's a problem, but you need to go through each chapter and fix that so all the definitions are consistent but I would recommend keeping the definitions within the chapters,

if you look at any other town, Southampton town, which is enormous because it encompasses a very large area, East Hampton town, which also, I'm not talking about the villages, I'm talking about the townships themselves, and even the Town of Southold, which I know this was modeled over, after, even if you go to just one section of those codes which is the zoning code, that zoning code is not only written there, but it has its own definitions for each and every little thing in that and they've done a very good job, it's simple Bob, it really is very simple, and with the search and find feature that all of our town codes have now, on all the towns, all you have to do is type in a word, like building inspector and it pops up in all the different places and that's how you check it to make sure that you've updated that definition if that's the definition that you want to update that it gets updated in all the chapters because it doesn't apply, when you take it and move it out of another chapter and change the definition, it often has a different interpretation of that definition, but changes it entirely its meaning; I don't disagree with that; so and clearly and if anybody saw the article in the Reporter that was listed yesterday, Julie Lane wrote an article and at the top of the article it talked about the septic regulations and because that's how this definition was originally listed on the Town website, so that's why you're hearing a lot of chatter in the public and everyone's texting everybody and emailing and Facebook and all over the place, it's because the public is confused, they're trying to figure out what the hell is going on, so those are just my comments, I'm trying to be constructive, I totally agree with what you're trying to do, I just don't agree with how it's being done and that's just my personal opinion; thank you; ___; yeah I just want a couple of things, one, in response to Lori's first point about the ___ I think that everybody's already on the, this is not gonna be voted on today; no; that this is gonna be recessed, so I think just to make that point, also just wanted to respond to the expression about the separate chapter, I'm sure all the definitions that we have actually started out the same but because they're all spread apart and such, what we are trying, we want to change that, they start to vary and this is an attempt to stop that type of thing from happening, just be putting them under a single point, you don't have to change eight definitions; right; and if you miss one then you've got a problem, the other thing is it's already confusing to the public because they're looking at seven different definitions of different thing and each definition is, look at Chapter 63 and why doesn't this apply in Chapter 75, so it would be good to have something that's more consistent throughout the code; thank you; we have some on, we're gonna do the audience here and then we've got Bill Maestro and Stella Lagudis with their hands raised; yeah; okay; if there's no one else in this room; Stell; no Bill; I'm sorry Bill is first; no worries; should I speak; yup, go ahead; alright, first of all I want to thank you because you obviously heard what we were saying in our various different communications and you're reacting to them and that is good, one of the things is I want to make clear is that we're not trying to act as ___ here, as I said in my correspondence, we understand it can be difficult to move matters forward and that the changes that were being made, they may be well reasoned, they may be necessary, but unfortunately they were almost, it was almost impossible to tell, that fact that you are now doing this kind of overview document is really good cuz now we'll be able to get into the nitty gritty and some of the things that were just raised where there were inconsistencies or maybe there are unintended consequences, that can be viewed, a red line version is also very helpful, in my prior life, I did a lot of government relations, government relations departments reported to me when I was general counsel and all of time on important legislation and I have to say it was mostly at the federal or state level, you would get red line versions but there was something else that you would also see which might be helpful here which is sort of like a legislative memo where for the specific changes that you're making, give a reason why they are being made so that we're not sitting here speculating trying to figure it out, personally I happen to agree with Bob, it's easier, I did a lot of transactional work, it's a lot easier to have a definitional section so that you keep definitions consistent but when you're making these changes, I've looked at one I thought was relatively innocuous which was home occupation and I was looking at it and I couldn't understand why in the prior code there was a little bit more to it and says things like it does not change the character of the, and the foregoing applies to professionals and trades, and it was left out, could have been good reasoning why it was left out but if you give us that in some type of legislative memo, when people are reviewing it, then they're going to, you know, okay that's why, and they'll either agree or they'll disagree and we'll have better interaction and better dialogue in terms of it because I don't think most people as I said want to be a ___, they're concerned about certain topics and they want to be sure that they're being addressed, so I thank you for what you did because you obviously heard what was put in and hopefully we will move to best practices; the rationale for changes is on the red line; it is, okay that'd be great, a rationale is very helpful Bob, thank you; Stella you're next; thanks, I want to echo what Bill said and thank you for putting the document together, I mean first of all what you're doing in terms of trying to standardize definitions is yeoman's work, it's not easy especially when you didn't own the document to begin with, so this document is going to go a long way, my question is fairly simple, how do you want Bob, to get recommendations for further edits

or questions because I went through it as Lori did although she probably did a much more thorough job, but I'm sure others have and you will be inundated, so what's the best way for us to get you feedback; email, rdestefano@shelterislandtown.us; alright, okay, I mean would you be willing to share a word version of a document so we could red line or question or that's just not where you want to go; that's not a problem, I'll just mark it a draft; okay, so if you can share that; I don't necessarily want to put it online, but if someone ___ to me I'll be happy; okay, will do, so thank you again for the document and I'm sure you'll have a lot of feedback; thanks Stell, Steven; good evening everybody, keeping the hour, I'll be very brief, I want to say as Bill said, I'm happy things have changed since Tuesday at the work session when it appeared that the Board was prepared to enact all or a majority of these definitions, I think the notion that this is a process and we're just beginning or not far from the beginning of the process is very helpful, it sounds as though the document that's just been made available will also be helpful, hopefully not just to the Board but to the public as well, I do though feel constrained to note that the notion which we heard again today, the quote, we're not changing the code, we're changing definitions is truly misplace and I'd just like to read a paragraph of a very comprehensive letter that was sent to the Board this morning by Albert D'Agostino, whose Shelter Island roots go back literally seventy-five years and whose legal practice over more than half a century has involved land use to a very heavy extent, Albert writes and hopefully and those of you on the Town Board including its newest member who haven't had a chance to carefully review what he wrote will be able to do so shortly, but he writes the following, any land use municipal attorney is acutely aware that it is the definitions which create the prism through which the code provisions must be interpreted, those definitions create the boundaries of legal interpretation, the definitional provisions of any code are the first thing that any land use municipal attorney will review in reviewing the succeeding substantive provisions of a code, indeed the definitions frame the succeeding provisions and in many indeed most cases carry more substantive impact than the succeeding provisions, attempting to formulate definitions is not an easy task and the ramifications whether intended or unintended can be manifold and far reaching, thank you for your consideration, we look forward to continuing the dialogue; thank you, Pam; yeah, hi everyone, a very important topic this evening, I'd like to just start at the very beginning of the document, the part that Councilwoman Brach-Williams had read, and basically I'd like to start with section two point two, I was also taught to start from the very beginning, so, when we go into the first mention that A, words used in present tense include future tense, well that's really not how the English language works, so I'm not really sure why that's put there and again the same thing with the singular is plural and plural is singular, it probably crosses a fine line on definitions and should be kept in very good check, and then the next topic is a person meaning an individual, partnership, corporation, association or other entity and I'm not certain what we're meaning by that, I have gone through the code, I looked up the five or so different definitions that are gonna be repealed and put them together and I'm curious, why are we calling a person a different entity and then once you do that it opens up a whole nother doorway for other things to happen so can I get an answer from the Town Attorney about that, why that ___ into that, I mean just to hit that first thing, two point two c, I just want to start from the beginning; I'm not sure what the concern is, why are we, it's legally the idea of what a person is has pretty much been defined by the courts and this is basically a statement of that; okay, now you're saying that it's an individual, corporation, limited liability company, partnership, limited partnership, business trust, estates, trust, association or any other legal or commercial entity of any kind or description, boy that's gray, I don't understand that definition at all, there's so much gray area in there, I'm looking for an explanation because in the current code it basically says an individual, association, partnership or corporation, an individual firm, partnership or corporation or other entity, an individual firm, partnership, trust, corporation, company, association or organization, and individual association, partnership, corporation or other legal entity and then there's one more here, any person, firm, partnership, association, corporation, company, organization or legal entity of any kind including municipal corporations, governmental agencies or subdivisions thereof; anything seems to be a person; anything seems to be a person and I think this is a crucial definition that needs to be satisfied and if I go to the New York State Building Code, just for the one definition folks, I'm not gonna take up more time than this, the New York State Building Code says a person, an individual, heirs, executors, administrators or assigns and a firm, partnership or corporation, its or their successors or assigns or the agent of any of the aforesaid, so what is a person; I think you answered your own question; I think it's crucial because person ___ to many other definitions in the code including residents, including owner, and this is just the first, this is just two point two c of this new law; correct; I think; __ we're changing it to all these other entities, I'm trying to get an answer from the Town Attorney; I think when you look at the documents that we're posting with the red lines you'll see what the definition is, all the ones we took out and where we took them out of and on the bottom is the reasoning is combined and standardized, so I think it's kind of self explanatory why we're

doing it; if you go through that list of all the different ones, things that you read, multiple definitions, that pretty much comes out to what we ended putting in as the new one; no, but, you added to the new one with things like limited liability corporation, estates, associations, and this entity of any kind or description, that's where the gray area comes in, so that's not in the current code, the current code does not say that __; for any other form of unincorporated enterprise owned or conducted by two or more persons, I mean that's kind of vague, that's why we took it out; ___; I don't even know ___, I have the six in front of me right now as they stand and the new one is completely different and we're only on the very first definition of this, this very large piece of legislation; I would follow up on Councilman Colligan's suggestion is if you could email us your concerns and we'll try to, we will address them; okay, I'm gonna just go over one other concern that I have that was in the two point three part of the legislation where it says that we can have alternate definitions by different parties now, I'm sorry, let me just find it, I'm sorry Ms. Brach-Williams, can you read it, the two point three, the two point three part of the new draft, I'm sorry, I know that you have it; no problem, the following definitions shall be applicable to all chapters of the Shelter Island Town Code, unless this chapter is directly referenced and an alternate definition explicitly set forth, in such cases the alternate definition shall control for the purposes of that chapter only; right, so my argument with this is that the whole point of this legislation is that we won't have alternate definitions, so why is that part of this legislation; it's not an alternate definition, it's more specific, it's, Bob had given you the example before of; the reasoning for that Pam is this, if there's a special circumstance where you need to define something differently for one chapter you could put that in that one chapter and then, but if you take it out it's not gonna alter things to the rest of the chapter; well that's fine but I don't think that that part of the legislation should be in this chapter, when that comes up it will be shown in the chapters in which it applies, not to this chapter, that's suggesting that this chapter can then be altered for any reason; it can, so long as you put it in the other chapter, you have to do it by code; but I thought the point of this chapter was to solidify everything and not create gray areas; it is, that is; I don't know how to make myself clearer, that is a very gray area to say that alternate definitions ____; it will allow for circumstances beyond what you're looking at at the present; let's take a look at that, I think I understand what how it's confusing; I understand why it's confusing, it's just that it's necessity; yeah; it's not confusing, it's a concern, it's a concern; ___; if this chapter is to solidify definitions then I don't believe that that statement should be in this chapter at all, any other classification of specialty definitions to another chapter will then be referenced in those chapters alone, the whole thing is to try to make everything easier for everyone and that just makes it an open door for another change; we've been using that a lot, we wanted standard definitions of person, but we might come to a circumstance where in a particular chapter, we want to write for purposes of this chapter alone, person shall mean only a natural person, I don't see why we do that but that's the sort of thing we're talking about, you still want the remainder of the code to use the other definition ___; so I'm gonna say what the definition of person as it stands, there is not much discrepancy in each, in the six definitions that I have before me and I will tell you folks that I did red line this and I did combine this and I do know what's happening here, I didn't wait for you to make the list for me because I didn't understand any of it and I'm not an attorney and as a person of interest, I needed to understand this better so I know what you've taken out, I know what's disappearing, I know what you're putting in, I know what wasn't there that will be there, it's not what I need help with, but looking at the six definitions of person pretty much find that the six look the same and they don't look anything like the new one, that's my point, they don't look anything like the new one; I'm a little confused on that Pam; it's nice to know that you're going to recess this hearing, that you're going to recess this hearing and we can take this another day; I still want to know the verb tense; thank you Pam, Karen Kiaer; first of all I want to thank the Board and particularly our Town Attorney for all the hard work they're putting into this process, but just listening to what Steve said about what Mr. D'Agostino said about definitions, I'm wondering if it's possible, this is such a complicated task, if our Town Attorney or even the Board couldn't' reach out to someone, not necessarily Mr. D'Agostino, that's really an expert in this area of code and definitions at some point to really get some outside expert advice because I think this is a huge very complicated and necessary job and it just may be helpful to get somebody that's an expert in this definition and code area, not that you're not an expert Bob, I'm sure you are; __ I'm laughing a little bit because this was supposed to be the easy one, we left the controversial stuff to another round, I don't want to think of what that's going to be like, but I am wondering when would be the appropriate time to do that; good point Karen, we'll discuss that, very good point; one thing that I would like to add, one possibility is, one question that should be answered, not necessarily tonight, is that why are you doing this to begin with, wouldn't it or could it make more sense to repair definitions as they come up like for example the definition of resident with respect to moorings, that was a problem, it didn't handle the situation correctly and you fixed it or you're in the process of fixing it, but why go through the

code in one process, you get an idea I think the last person to come in, I think you may need to have a, not necessarily an expert beyond your expertise but another set of eyes who is an expert to take a look at it because of the tremendous amount of unforeseen consequences that you can have by changing definitions whether it's in this round or the next round, so maybe you don't go through this process and just change the code as you run into problems; with all due respect, you're one of the reasons we're doing this, you brought things up that we're not doing things the way we're supposed to do them, so that's what we're doing; my fault; you made us aware of things and that's what we're doing; then just fix the things I made you aware of; twenty-five years ago in the, when they did the last comprehensive plan, they wrote in it that your Town code is out of date and you need to do a complete code review and for twenty-five years we've talked about doing it and this is sort of step one, sort of inching into the definitions, so the idea is to move through, basically take a look at the entire code; can you repeat that, so twenty-five years ago; whenever the comp plan was; our comp was the 1994 plan; yes, correct; in the comp plan it says that or did it, the county like take a look at the code, okay, we didn't say you could do it all at once; my first two years in office, Bob, my first two years in office, all we did was address the Town code based on the Comprehensive Plan, we created the Near Shore Overlay, we adjust some of the A and double A zones, we restricted, so we addressed zoning in the comp, and this is one of the reasons we need to get the comprehensive plan back in place and finish what we started; what was the reason again, to get, to do a new comprehensive plan; because we started it and we need to finish it; no no; the public; __ was started, we have a comprehensive plan; that's right, and the comprehensive plan is supposed to be a living document that you update, you look at and you see where you are with it, I think the original comprehensive plan was a fabulous document, it's a great document; well, it happens to be a great document, it has affordable housing in it, it has the things that you want, it has the things that we want, no spot zoning, just that, but in the comprehensive plan process that took place, I don't mean to get off topic but you raised it, they never posted the old comprehensive plan on the website; why do you have to post it, it's available; let me finish my sentence, you just said the idea was to update the 1994 comprehensive plan, but you didn't update it, you spent a hundred twenty-five thousand on consultants to start from scratch; no that's not true; well why didn't you just simply take the 1994 plan, post it and ask people; everyone involved in the process worked off the original plan, whenever we started, if you were involved in the process you started with the original plan; we also had a tremendous effort twelve years later with the 2007, 2008 effort to rewrite the '94 plan to update the plan, my thinking and I thinking of the Town Board was as we go forward is they encourage you, I've been to the state meetings where they encourage you every seven to ten years to update your comprehensive plan, I think that's a mistake, I think the mistake is it's a living document, you update it as you move forward on a yearly basis, you don't wait seven years, there are things that come up, so you don't have to tackle the entire plan, the Town Board should sit down periodically and say what areas of the comprehensive plan do we need to update, is it something about housing, is it something about zoning, is it something about water, and pick those areas and make them a priority, put a committee together and update that aspect of the comprehensive plan as opposed to trying to attack after ten years, and the other advantage of that is if it is truly a living document, you are so, you're using it more frequently, you're referring to it, it's being used as a guide in decision making, in developing a budget, I mean that document should be, really when you sit down and formulate your budget each and every year, where are our priorities, are we in fact putting our money where the comprehensive plan says we should be going, so there's a lot of, I have arguments with people about, oh it's a piece of paper, this thick, you throw it up on the shelf, ten years later you, that is not, as a former teacher, of a curriculum, do you wait every ten years to update your curriculum, not if you're a good teacher, a good teacher updates their curriculum on an annual basis, based on the needs of where your, re-prioritizing your subject area and based on feedback that you're getting from other sources other than just yourself; I'm not sure I fully comprehend the second part of what you are saying, I'm not sure that a living constitution whether a comprehensive plan is like a constitution or not, that's something for a discussion; right; because maybe there ought to be a vision and that shouldn't change that often but the first part of what you said, of taking a comprehensive plan that exists and just focusing on things that need to be updated and do it one piece at a time I think makes eminent sense; yes; that you take the '94 plan and rather than going to try and tackle everything in it, which can make for a failed process which partly it was, whoever was involved, etcetera, no blame; no we don't want to go there; exactly, but I think you're absolutely right, I think you should only take, if you need to do zoning or you need to do affordable housing or if they're together or if there's water or whatever, take a look at the '94 plan, I think it's a brilliant plan, there was a process for the 2003 process but that didn't end up being a plan, whatever, it wasn't adopted; it just wasn't adopted; but the current, this Town is currently operating under I think it was the January 4, 1994 plan or January 11, 1994 plan, that's the plan that this Town currently operates under so I think you should start with that, post it

and let's do it and don't go spending another hundred thousand dollars on a bunch of consultants from Boston or wherever they were from, which I think led this whole Town into the wrong direction, the vision statement had nothing to do with the original Town, it wasn't an update; some of your comments, we're gonna take that ___; okay, thank you very much; ___ the one problem is, I like most of what you're saying, the only problem is after 25 years, you've got to do a pretty comprehensive ___; I don't think so, I think if you read the plan, if most people got, just put it on the website, it should be on the Town, read it, it's so well written, it really is quite brilliant; I think it's just an analysis of how we're doing ___; but a lot of people don't want this Town to change that much, that's one of the things to consider, do we really want to completely change the Town, do you want a Walmart here; no; no, I think a lot of people would say no we don't want to go in that direction; we need to get back on track; thank you; Amber; yeah, while we've been talking, Kristina has been working in the background, so I emailed her the two documents that we've been talking about today, there's now a new spot under the meeting section, look there, upcoming hearings and pending legislation has been linked in over here; are you listening Bob; yeah; this is for you, so if you go to meetings and agendas you can see upcoming hearings and pending legislation is the first button before you get to the sessions themselves and if you click on it, the two documents discussed today are on the bottom, definitions revisions and then definitions red line, so those are available for everyone; ___ on the red line, I did it over the last twenty-four hours so there might be a couple of typos and things in it; I think it's clear from all the letters and the people that spoke, there's enough expertise to be able to be helpful to you Bob, and it shouldn't be just people sending in, bombarding you with all kinds of recommendations, everybody should submit what they like but you had some real, I was surprised myself by the expertise of many of the people who are attorneys and things, and particularly like Al who obviously worked in this area for a long time, so they should, you should be able to draw on them to look a lot of this stuff that comes in so you're not just loaded with __ and all fall on you, you know assuming people are willing to volunteer and do it; yeah, I think your point is well taken Patrick and I'll hopefully end on this, I would encourage people that feel comfortable and have that expertise to in fact be in touch with our Town Attorney, you have the documents available to you, keep them constructive, keep them coming and then after some of those things are changed or modified in some way, shape or form, personally I would be in favor of maybe Bob, even if we got some of those, again a manageable group of people, five or six people in a room with you after you've collected that, go over that, be as transparent as you possibly can, have an exchange, I think you could come up with probably a pretty good resolution there, so I would encourage people to participate, let's keep it constructive, let's keep it timely, again, we're in the holiday season now so I don't know how much is going to be done before the end of the year, but I think we can start the process and I think once January comes I think we start to put this stuff together, maybe meet as a group and see if we can ___; I'd say we wait to see what comments we get from who; sure; and we work off that ___; okay, sounds good.

At 6:47 p. m., the Supervisor recessed the public hearing and reconvened the regular Town Board meeting.

RESOLUTION NO. 556

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

"Whereas", Alain and Ellen Roizen, 153 North Ram Island Drive, have petitioned the Town of Shelter Island for permission to remove and dispose of existing lower platform, install an 8,000 pound boatlift in location of lower platform; elevate existing dock 2 feet, redeck with untreated lumber and provide for water and electric, and

"Whereas", a public hearing was duly held on the 3rd day of December, 2021, 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 redecking etc.:

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: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 557

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

"Whereas", a public hearing was duly held on the 3rd day of December, 2021, on a proposed Local Law entitled REVISE SEPTIC REQUIREMENTS, and

"Whereas", All interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 12 – 2021 entitled REVISE SEPTIC REQUIREMENTS, 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 of Shelter Island wishes to preserve the health and safety of its citizens and guests and to take those steps that are necessary to ensure that the Island's water supply is protected for this and future generations.

Section 2. Amendment

Chapter 43 of the Town Code of the Town of Shelter Island is amended in that §43-10.4. I/A OWTS Required shall be expanded as follows:

§43-10.4.I/A OWTS Required is amended in that the following shall be added under subsection A.

(5) Any expansion or renovation of a single family residence, a multiple family residence, or any other building capable of being used as a residence that:

a) has an existing non-conforming septic system as determined by the SCDHS

b) increases the "SFLA" (as defined in the Town Code) by twenty-five percent (25%)

c) increases the number of bedrooms (as defined by the SCDHS) that exceeds the allowable number authorized by a permit, previously issued by the SCDHS

Section 3. Severability

If any provision of this chapter or its application to any person or circumstances is held invalid, such portion shall be deemed a separate, distinct and independent provision, and such finding shall not affect the validity of the remaining portions of this chapter.

Section 4. SEQRA

This Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that this action will not result in a significant adverse impact on the environment as the principal purpose herein is to ensure clean water.

Section 5. 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.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 6:55 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

December 14, 2021

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 14th day of December, 2021. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan and Barbara Jean Ianfolla, and Councilwoman Amber Brach-Williams. Councilman Albert Dickson was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, and approximately eight persons were also present. Town Board members signed a waiver of notice.

The Supervisor called the meeting to order at 3:50 p. m.

RESOLUTION NO. 558

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

BE IT RESOLVED, That Anthony Rando is hereby appointed to serve as Sergeant of the Shelter Island Police Department effective January 13, 2022.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilwoman Brach-Williams, the special meeting was adjourned at 3:52 p. m.

Dorothy S. Ogar
Town Clerk

December 28, 2021

The annual meeting of the Town Board of the Town of Shelter Island was held via Zoom on the 28th day of December 2021 in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert K. Dickson, and Barbara Jean Ianfolla and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and approximately twelve persons were present.

The Supervisor called the meeting to order at 1:04 p. m.

The Supervisor made the following statement: This is the December 28, 2021 scheduled meeting of the Shelter Island Town Board, and, for the record, we do have a quorum present.

The notice of the meeting followed the Open Meetings Law as amended by Executive Order 202.1 allowing meetings to take place telephonically or through other similar services.

We will be using Zoom and will be recording the entirety of the meeting, which will be available upon request at Town Hall.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17th meeting.

All voting on Board actions and resolutions will be done via a roll call, and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.

As per Executive Order 202.1, there will be no public physically present at this meeting. The web link to view the meeting has been publicized, and members of the public have the ability to listen to and view the meeting.

RESOLUTION NO. 559

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

"Whereas", filming permit number 77 was issued on December 7, 2021 to Vincent Castrogivanni for filming at 41 North Menantic Road on December 7 through 10, 2021, and

"Whereas", a filming clean up deposit of $1,000.00 was paid for said filming, and

"Whereas", the Commissioner of Public Works has 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 Mr. Vincent Castrogivanni, 162 Smithtown Polk Blvd., Centereach, NY 11720.

Roll Call Vote:	Councilman Colligan	aye
	Councilman Ianfolla	aye
	Councilman Dickson	aye
	Councilwoman Brach-Williams	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 560

Councilman Ianfolla offered the following resolution, which was seconded by Supervisor Siller, 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, 2021, in the amount of $104.02. now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $104.02 from the trust and agency account to general account.

Roll Call Vote:	Councilman Ianfolla	aye
	Councilman Dickson	aye
	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 561

Councilman Dickson offered the following resolution, which was seconded by Supervisor Siller, to wit:

BE IT RESOLVED, That the Town Board hereby authorizes the payment of 2021 claims received in 2022 to be paid with 2021 funds through March 11, 2022.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Ianfolla	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 562

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement check received from the Shelter Island Municipal Golf Course, Inc. in the amount of $493.90, which represents an amount paid for materials, to the A1490.410 Town grounds maintenance contractual expense account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Ianfolla	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 563

Supervisor Siller 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 agreement between ADP, Inc. and the Town of Shelter Island for the provision of executing an amendment to said agreement concerning ADP time and attendance services, retroactive to December 10, 2021.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Colligan aye
Councilman Ianfolla aye
Councilman Dickson aye
Supervisor Siller aye
5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 564

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

"Whereas", sealed bids were received by the Town Clerk's Office until 3 p. m. on the 23rd day of December, 2021, for the purchase of one used unicarrier forklift for the Shelter Island Highway Department, and

"Whereas", the following was the sole bid received:

Island Forklift, Inc. $20,900.00, and

"Whereas", the Superintendent of Highways has reviewed and accepted said bid, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for the purchase of said forklift to Island Forklift, Inc., 74 Weeks Avenue, Manorville, New York 11949, for the sum of $20,900.00.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Colligan aye
Councilman Ianfolla aye
Councilman Dickson aye
Supervisor Siller aye
5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 565

Councilman Ianfolla offered the following resolution, which was seconded by Supervisor Siller, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the joint-funding agreement concerning the water resource investigations for the U. S. Geological Survey between the Town of Shelter Island and the United States Department of Interior U. S. Geological Survey for the Hydrologic Data Collection on Shelter Island during the period October 1, 2021 through September 30, 2024 in the amount of $64,900.00.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Colligan aye
Councilman Ianfolla aye
Councilman Dickson aye
Supervisor Siller aye
5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 566

Councilman Dickson offered the following resolution, which was seconded by Supervisor Siller, 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 Shelter Island Pilot's Association to allow the SIPA to manage the airfield known as Klenawicus Airfield for a three year term starting March 31, 2020 through April 30, 2023.

Roll Call Vote: Councilwoman Brach-Williams aye
Councilman Colligan aye
Councilman Ianfolla aye

Councilman Dickson	aye
Supervisor Siller	aye
	5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 567

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

"Whereas", the Town of Shelter Island wishes to purchase certain property currently belonging to the White Estate; and

"Whereas", such property must first be subdivided; and

"Whereas", that subdivision requires that the sellers execute two performance bonds to ensure the completion of roads into the subdivision under enumerated circumstances; now, Therefore

BE IT RESOLVED, That the Town Board approves a bond in the amount of $380,000 to cover future improvements should the Whites wish to further develop their properties; and

BE IT FURTHER RESOLVED, That the Town Board approves a bond in the amount of $120,000 for work to be constructed within twelve (12) months of the Planning Board's Resolution #22 of 2021, dated 12 October 2021; and

BE IT FURTHER RESOLVED, That the Planning Board will re-review the bond every two to three years to ensure that the value of the bond covers the required work.

Roll Call Vote: Councilwoman Brach-Williams	aye
Councilman Colligan	aye
Councilman Ianfolla	aye
Councilman Dickson	aye
Supervisor Siller	aye
	5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 568

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

BE IT RESOLVED, That the following transferals of 2021 funds are hereby approved:

$5,012.00 from the A3510.498 deer reduction management account and dispersed as follows:
$4,512.00 to the A3120.400 maintenance account, and
$500.00 to the A310.484 animal control office and miscellaneous account;

$579.70 from the Highway DA5130.246 equipment account to the Highway DA5130.249 new truck account;

$1,025.44 from the Highway DA5130.446 account to the Highway DA/DM to the DA5130.447 excavator account;

$10,000.00 from the A8160.433 landfill solid waste carting account to the A8160.201 landfill recycle center roof account;

$2,000.00 from the A8160.408 landfill repairs and maintenance account to the A8160.451 landfill C & D hauling account;

$350.00 from the A1490.122 Public Works double time account to the A1490.121 Public Works overtime account;

$200.00 from the A5010.440 Highway training account to the A5010.400 Highway overtime account;

$500.00 from the Highway DA5140.100 personal services account to the DA4140.167 Highway overtime account;

$2,900.00 from the DS5110.482 Highway MS4 maintenance account to the DB5110.441 Highway diesel account;

$750.00 from the A1490.118 Public Works personal services account to the A1490.106 Public Works custodians account;

$250.00 from the A1490.122 Public Works double overtime account to the A1490.121 Public Works overtime account;

$1,950.00 from the A1410.101 Deputy Town Clerk's salary account and dispersed as follows:
$1,000.00 to the A1330.484 Receiver of Taxes office and miscellaneous account,
$550.00 to the A1330.414 Receiver of Taxes postage account, and
$400.00 to the Town Clerk's office and miscellaneous account; and

BE IT FURTHER RESOLVED, That 2021 claim number 583 paid to the Shelter Island Highway Department was a duplicate of claim number 453 paid to the Shelter Island Highway Department, and

BE IT RESOLVED, That claim number 2021-583 is hereby declared null and void, and

BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized and directed to credit the amount of $218.15 back to the A6772.485 account and the amount of $363.23 back to the A6777.433 account.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Ianfolla	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 569

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

BE IT RESOLVED, That 2021 general claims numbered 1940 through 2114 in the amount of $310,047.61; 2021 highway claims numbered 237 through 265 in the amount of $68,081.75; 2021 West Neck Water claims numbered 45 through 47 in the amount of $549.19, and 2021 Community Preservation Fund claims numbered 24 through 26 in the amount of $4,496.00 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Ianfolla	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilwoman Brach-Williams, the annual meeting was adjourned at 1:39 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk