January 2, 2020

The Organizational Meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 2nd day of January, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen Albert K. Dickson and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Councilman James Colligan was absent. Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs, Town Attorney Robert J. DeStefano, Jr. and approximately forty-five persons were also present.

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

Salute to flag.

Town Justice Helen J. Rosenblum administered the oath of office to the newly elected Town Supervisor Gerard F. Siller.

Town Justice Mary Faith Westervelt administered the oath of office to the newly elected Councilman Michael J. Bebon.

Town Justice Helen J. Rosenblum administered the oath of office to the newly elected following officials: Receiver of Taxes Annmarie Seddio, Superintendent of Highways Brian Sherman, and Assessors Craig Wood and Judith Lechmanski.

At 1:08 p. m., the Supervisor declared a recess for a reception for the newly elected officials.

The Supervisor reconvened the Organizational Meeting at 1:28 p. m.

Correspondence included the following:

1. A memo from the Town Clerk notifying that Linda D. Cass has been appointed to the position of full time Deputy in the Town Clerk's Office effective January 1, 2020.

RESOLUTION NO. 1

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Siller, 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 24, February 14, March 6 and 27, April 17, May 8, and 29, June 19, July 10 and 31, August 21, September 11, October 2 and 23, November 13, and December 4, 2020, 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 7, 14, 22 (Wednesday), and 28, February 4, 11, 19 (Wednesday), and 25, March 3, 10, 17, 24 and 31, April 7, 14, 21, and 28, May 5, 12, 19, and 27 (Wednesday), June 2, 9, 16, 23 and 30, July 7, 14, 21 and 28, August 4, 11, 18, and 25, September 1, 9 (Wednesday), 15, 22, and 29, October 6, 14 (Wednesday), 20 and 27, November 4 (Wednesday), 10, and 17, December 1, 8, and 15, 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 2

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 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 3

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 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 4

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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 5

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

BE IT RESOLVED, That Town officials and employees will be reimbursed, subject to audit, at the rate of $.585 per mile for their mileage on Town business for the year 2020, and

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

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 6

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

BE IT RESOLVED, That Lillian McCarthy is hereby appointed to serve as Clerk in the Receiver of Taxes Office at the rate of $22.91 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 7

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 2020 at the rate of $22.59 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 8

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

BE IT RESOLVED, That Councilwoman Amber Brach-Williams is hereby appointed to serve as Deputy Supervisor for the year 2020, to be paid as per the 2020 budget.

Vote: 3 in favor 0 opposed 1 Abstain (Councilwoman Brach-Williams abstained)
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 9

Councilwoman Brach-Williams 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 2020, for 30 hours per week, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 10

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

BE IT RESOLVED, That Robert J. DeStefano, Jr. is hereby appointed to serve as Town Attorney for the years 2020 and 2021, to be paid as per the 2020 and 2021 budgets.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 11

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 $562.00 to the Postmaster from the 2020 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. 12

Councilman Dickson offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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 2020, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 13

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

BE IT RESOLVED, That the rate of pay for Deputy Town Clerk Cass is hereby set at $30.00 per hour for the year 2020.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 14

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 2020.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 15

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 2020, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 16

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 2020 for 38 hours per week, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 17

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

BE IT RESOLVED, That Linda D. Cass is hereby appointed to serve as part time Town Custodian for the year 2020 at the rate of $28.00 per hour.

Vote: 4 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 Arthur Bloom is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 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 $28.00 per hour for the year 2020.

Vote: 4 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 Deborah Brewer is hereby appointed to serve as part time Town Custodian at the rate of $28.00 per hour for the year 2020.

Vote: 4 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 Supervisor Siller, to wit:

BE IT RESOLVED, That Crystal Steinmuller is hereby appointed to serve as part time Town Custodian at the rate of $27.00 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 22

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

BE IT RESOLVED, That Catherine Rasmussen is hereby appointed to serve as Detention Attendant for the year 2020, to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 23

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

BE IT RESOLVED, That Amanda Gutiw is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the rate of $35.46 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 24

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

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 25

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

BE IT RESOLVED, That Tracy Gibbs is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 26

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

BE IT RESOLVED, That John Mahoney is hereby appointed to serve as Bay Constable for the year 2020 to be paid at the rate of $30.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 27

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

BE IT RESOLVED, That Mariana Koehler Torrealba is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 28

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

BE IT RESOLVED, That Jose Manuel Payano Cruz is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 29

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

BE IT RESOLVED, That Taylor Rando is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 30

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 2020.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 31

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 Detention Attendant for the year 2020 to be paid at the following rate schedule:

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

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 32

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 $1,350.00 from the 2020 A3989.400 NIMS contractual account to Onsolve, LLC, P. O. Box 865672 Orlando, Florida 32886-5672 for unlimited CodeRed system service plan for the period January 9, 2020 through January 8, 2021.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 33

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

BE IT RESOLVED, That Peter Vielbig is hereby appointed to serve as Bay Constable for the year 2020 to be paid at the rate of $30.00 per hour.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 34

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

BE IT RESOLVED, That Loretta Gillman Fanelli is hereby appointed to serve as Senior Citizens Aide II for the year 2020, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 35

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

BE IT RESOLVED, That Catherine Rasmussen is hereby appointed to serve as School Crossing Guard for the year 2020 to be paid as per agreement.

Vote: 4 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 36

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

BE IT RESOLVED, That Jenny Zahler is hereby appointed to serve as part time Animal Control Officer for the year 2020 at the rate of $384.62 biweekly.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 37

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Siller, 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 2020, to be paid as per the 2020 budget.

Vote: 4 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 Giovanna Ketcham is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2020.

Vote: 4 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 the following is a salary chart for the part time and seasonal laborers of the Shelter Island Highway Department/Public Works and Landfill Departments for the year 2020:

Summer Interns	$18.50 per hour
Year 1 laborers	$21.00 per hour
Year 2 laborers	$21.50 per hour
Year 3 laborers	$22.00 per hour
Year 4 laborers	$22.50 per hour, and
Year 5 laborers	$23.00 per hour.

Vote: 4 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 the rate of pay for part time Highway Department employees with a CDL license is hereby set at $25.00 per hour for the year 2020 for the operation of snowplows during weather emergencies.

Vote: 4 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 Supervisor Siller, to wit:

BE IT RESOLVED, That William Clark, III is hereby appointed to serve as Town Historian for the year 2020 to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 42

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

BE IT RESOLVED, That Bruce Jernick is hereby appointed to serve as Maintenance Mechanic II for the year 2020 at the rate of $25.53 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 43

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

BE IT RESOLVED, That Sara Mundy is hereby appointed to serve as Assistant to the Director at the Senior Center for the year 2020, for six hours per day, five days per week, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 44

Councilman Dickson 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 Office Assistant at the Senior Center at the rate of $18.86 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 45

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

BE IT RESOLVED, That Marissa Fanelli is hereby appointed to serve as Office Assistant at the Senior Center at the rate of $18.86 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 46

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

BE IT RESOLVED, That Donna King is hereby appointed to serve as Mini Bus Driver for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 47

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

BE IT RESOLVED, That Donna King is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 48

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

BE IT RESOLVED, That Alison Binder is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 49

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

BE IT RESOLVED, That the rate of pay for Therapeutic Activities Workers for the year 2020 is hereby set at $21.72 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 50

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

BE IT RESOLVED, That Sara Mundy is hereby appointed to serve as Mini Bus Driver for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 51

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

BE IT RESOLVED, That Thomas Cronin is hereby appointed to serve as Laborer for the Residential Repair Program at the rate of $19.19 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 52

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

BE IT RESOLVED, That Arthur P. Bloom is hereby appointed to serve as Telecommunications Technician on call as needed for the Residential Repair Program at the rate of $18.64 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 53

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

BE IT RESOLVED, That Emily Hallman is hereby appointed to serve as Minibus Driver for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 54

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 for the Nutrition Program for the year 2020, to be paid at the rate of $21.88 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 55

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 Mini Bus Driver for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 56

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 Mini Bus Driver for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 57

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

BE IT RESOLVED, That David Binder is hereby appointed to serve as Mini Bus Driver for the year 2020.

Vote: 4 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 Alison Binder is hereby appointed to serve as Food Service Worker for the year 2020 at the rate of $16.12 per hour.

Vote: 4 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 Mary Ann McGinn is hereby appointed to serve as Mini Bus Driver for the year 2020.

Vote: 4 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 Garth Griffin is hereby appointed to serve as Bus Driver for the year 2020.

Vote: 4 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 Supervisor Siller, to wit:

BE IT RESOLVED, That the rate of pay for bus and minibus drivers is hereby set at $21.72 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 62

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 Recreation/FIT Aide for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 63

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 Cook for the Nutrition Program for the year 2020, to be paid at the rate of $21.66 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 64

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

BE IT RESOLVED, That Michelle Donohue is hereby appointed to serve as part time Cook for the Nutrition Program for the year 2020 at the rate of $21.66 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 65

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

BE IT RESOLVED, That Giovanna Ketcham is hereby appointed to serve as Cook for the year 2020, to be paid at the rate of $21.66 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 66

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 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 67

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

BE IT RESOLVED, That Robert Andrew is hereby appointed to serve as Food Service Worker for the year 2020 at the rate of $16.12 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 68

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

BE IT RESOLVED, That Shannon Hammonds is hereby appointed to serve as Food Service Worker for the year 2020 at the rate of $16.12 per hour; and retroactive to December 30, 2019.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 69

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

BE IT RESOLVED, That Cori Cass is hereby appointed to serve as Recreation/FIT Aide for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 70

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 Assistant Recreation Leader for the year 2020 at the rate of $20.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 71

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

BE IT RESOLVED, That Catherine Davidson is hereby appointed to serve as Recreation/FIT Aide for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 72

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

BE IT RESOLVED, That Julia Weisenberg is hereby appointed to serve as Recreation/ FIT Aide for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 73

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

BE IT RESOLVED, That Barbara Bloom is hereby appointed to serve as Recreation/FIT Aide for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 74

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

BE IT RESOLVED, That Callie Atkins is hereby appointed to serve as Recreation Specialist Instructor for the year 2020 at the rate of $30.00 per session.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 75

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 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 76

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 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 77

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

BE IT RESOLVED, That Katie Potter is hereby appointed to serve as Recreation/FIT Aide for the year 2020.

Vote: 4 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 Chief of Police James J. Read, Jr. is hereby appointed to serve as Emergency Management Coordinator for the year 2020.

Vote: 4 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 rate of pay for Recreation/FIT Aides for the year 2020 is hereby set at $17.85 per hour.

Vote: 4 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 Catherine Davidson is hereby appointed to serve as Assistant Recreation Leader for the year 2020 at the rate of $21.51 per hour.

Vote: 4 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 Supervisor Siller, to wit:

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as Assistant Recreation Leader for the year 2020 at the rate of $21.01 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 82

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 $750.00 from the 2020 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, 2020 through March 31, 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 83

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

BE IT RESOLVED, That Katie Potter is hereby appointed to serve as Assistant Recreation Leader for the year 2020 at the rate of $21.01 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 84

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

BE IT RESOLVED, That Katie Rose Binder is hereby appointed to serve as Assistant Recreation Leader for the year 2020 at the rate of $20.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 85

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

BE IT RESOLVED, That Kelci McIntosh is hereby appointed to serve as Assistant Recreation Leader for the year 2020 at the rate of $21.01 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 86

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

2020 Standard Work Day Elected and Appointed Positions

Title	Standard Work Day
Elected Positions	
Town Clerk	6 hour day
Supervisor	6 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
Appointed Positions	
Town Attorney	6 hour day
Members, Zoning Board of Appeals	6 hour day
Members, Planning Board	6 hour day
Deputy Town Clerks	7 hour day
Confidential Secretary to Supervisor	6 hour day
Confidential Secretary to Highway Superintendent	7.5 hour day.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 87

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 Specialist Instructor for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 88

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

BE IT RESOLVED, That Emily Kraus is hereby appointed to serve as FIT Manager for the year 2020, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 89

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Siller, 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 2020, 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 90

Councilman Bebon offered the following resolution, which was seconded by Councilman Dickson, 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, and the Town Attorney for the year 2020 at the rate of $22.59 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 91

Councilman Dickson offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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 $22.59 per hour for the year 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 92

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

BE IT RESOLVED, That Coco Lee Thuman, 11305 Main Road, Mattituck, New York 11952, is hereby appointed to serve as part time Temporary Leave Replacement Clerk for the year 2020 to fill the temporarily vacant positions of Account Clerk Typist in the Supervisor's Office, Planning Board Clerk, Zoning Board of Appeals Clerk, Water Advisory Committee Clerk and Waterways Management Advisory Council Clerk, at the rate of $24.50 per hour.

Vote: 4 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:

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.

Vote: 4 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:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $6,021.00 from the 2020 A4540.484 EMS office and miscellaneous account to SCM Products, Inc., 60 Plant Avenue, Suite #2, Hauppauge, New York 11788, for the 2020 annual maintenance contract for the EMS computer program.

Vote: 4 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:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,625.00 from the 2020 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, 2020 through December 31, 2020.

Vote: 4 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 Supervisor Siller, 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, Emily Kraus, 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 2020.

Vote: 4 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 2020:

Highway & Public Works	Supervisor Siller and Councilman Colligan
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 2020:

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 Committee	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
Capital Planning	Councilwoman Brach-Williams and Councilman Colligan

On motion of Supervisor Siller and seconded by Councilwoman Brach-Williams, the meeting was adjourned at 1:59 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

January 24, 2020

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 24th day of January, 2020. 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 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from Michael Schiano, Environmental Planner for Inter-Science, requesting an adjournment of discussion on the dock application for Thomas Campbell Myers at 2 Bay Avenue, to allow for time to explore revisions to the proposal.
2. A memo from Dorothy S. Ogar, Town Clerk, notifying the Town Board that Kathleen Reilly has been appointed to the position of full time Deputy in the Town Clerk's Office for thirty hours per week effective January 13, 2020.
3. A letter from Karen A. Hoeg of Twomey, Latham Shea, Kelley etc. representing Congdon's Point LLC and requesting a postponement of action on the application until next month's meeting.

RESOLUTION NO. 97

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

BE IT RESOLVED, That Beau Payne is hereby appointed to serve as Detention Attendant for the year 2020 to be paid at the rate of $47.97 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 98

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

BE IT RESOLVED, That Kelsey Lechmanski is hereby appointed to serve as Recreation/ FIT Aide for the year 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 99

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

"Whereas", the term of James Eklund as a member of the Water Quality Improvement Advisory Board will expire on February 1, 2020, and

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

BE IT RESOLVED, That James Eklund is hereby reappointed to serve as a member of the Water Quality Improvement Advisory Board for a term to expire on February 1, 2025.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 100

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

"Whereas", the term of Elizabeth Galle as a member of the Ferry Study Group will expire on January 29, 2020, and

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

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 101

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

"Whereas", the term of Peter McCracken as a member of the Community Housing Board will expire on February 9, 2020, and

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

BE IT RESOLVED, That Peter McCracken is hereby reappointed to serve as a member of the Community Housing Board for a term to expire on February 9, 2022.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 102

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

"Whereas", the term of William Geraghty as a member of the Waterways Management Advisory Council will expire on February 1, 2020, and

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

BE IT RESOLVED, That William Geraghty is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2023.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 103

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

"Whereas", the term of John Needham as a member of the Waterways Management Advisory Council will expire on February 1, 2020, and

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

BE IT RESOLVED, That John Needham is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2023.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 104

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

"Whereas", the term of George Zinger as a member of the Waterways Management Advisory Council will expire on February 1, 2020, and

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

BE IT RESOLVED, That George Zinger is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2023.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 105

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 $330.00 from the 2019 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 2-1-2020 through 2-1-2021.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 106

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

"Whereas", the Association of Towns meetings are to be held in New York City on February 16, 17, 18, and 19, 2020, and

"Whereas", it is required by the Association of Towns to register persons who anticipate attending the Association of Towns' meeting in New York City in February 2020, and

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

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

BE IT FURTHER RESOLVED, That Supervisor Gerard F. Siller is hereby authorized to represent the Town of Shelter Island in voting in the Association meeting, and

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

BE IT FURTHER RESOLVED, That the transportation allowance for Town officials is hereby set at $26.00 for each way per official for bus fare and $4.00 additional per official for ferry fare.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 107

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

"Whereas", the Town of Shelter Island has received two donation checks in the amount of $1,000.00 and $250.00, to be used for the Deer & Tick program, and

"Whereas", said donations were unknown at budget time, now, Therefore

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

$1,250.00 increase to the 2020 A2705H miscellaneous donations revenue account, to be funded by the above donations, and

$1,250.00 increase to the 2020 A3510.498 Animal Control Officer deer reduction management expense account

Vote: 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:

"Whereas", Lawrence L. Devine, 57 Winthrop Road, has petitioned the Town of Shelter Island for permission to remove 200 feet of existing bulkhead and a nine foot return and construct 200 feet of new bulkhead and nine foot return, in-place, and fill void areas with clean trucked-in fill (approximately 200 cubic yards), and

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

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 109

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

"Whereas", Peter and Michael Mankin, 26 Margaret's Drive, have petitioned the Town of Shelter Island for permission to repair existing walkway and stairway where necessary, and

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

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 110

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

"Whereas", James E. Minnigan, 3 Valley Road, has petitioned the Town of Shelter Island for permission to relocate mooring number W-2624 from a location approximately 200 feet northwest of the landing at Landing Lane of Hilo Shores to a location approximately 50 feet northeast of the Hull mooring and approximately 60 feet northwest of the Moore mooring in West Neck Bay, and

"Whereas", a public hearing was duly held on the 31st day of December, 2019, 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 relocation of mooring number W-2624 from a location approximately 200 feet northwest of the landing at Landing Lane of Hilo Shores to a location designated as latitude 41.065989° north and 72.363111° west.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 111

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $300.00 to the Candelite Inn, P. O. Box 237, Shelter Island, NY 11964, for six unused parking permits for the year 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 112

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

BE IT RESOLVED, That Resolution No. 80 - 2020 dated January 2, 2020, is hereby amended by changing the rate of pay from $21.51 per hour to $21.01 per hour, and

BE IT FURTHER RESOLVED, That Resolution No. 83 - 2020 dated January 2, 2020, is hereby amended by changing the rate of pay from $21.01 per hour to $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 113

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 concerning GASB Statement 73 which is an agreement which changes LOSAP reporting procedures for the financial statement, and

BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $950.00 from the 2020 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.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 114

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 $850.00 from the 2020 A1330.476 Receiver of Taxes software account to Business Automation Services, Inc., 661 Plank Road, Clifton Park, NY 12065 for the annual software support, maintenance fee for the period February 1, 2020 through January 31, 2021.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 115

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 $1,232.50 from the 2020 Landfill A8160.484 office and miscellaneous account to Creative Information Systems, 27 Lowell Street, Suite 402, Manchester, NH 03101 for the deposit on the upgrade of the maintenance and support agreement for the landfill computer system.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 116

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

"Whereas", The Town of Shelter Island applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") under the Title 9 of the Environmental Protection Act of 1993 for the purpose of funding the Crescent Beach Comfort Station project; and

"Whereas", The Town of Shelter Island is authorized and directed to accept these grant funds in an amount not to exceed $113,370 for the project described in the grant application; now, Therefore

BE IT RESOLVED, That the Town of Shelter Island is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such Crescent Beach Comfort Station project; and

BE IT FURTHER RESOLVED, That the Town of Shelter Island is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

BE IT FURTHER RESOLVED, That the governing body of the municipality delegates signing authority to execute the Master Contract and any required deed of easement and other certifications to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Supervisor or Deputy Supervisor.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 117

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

"Whereas", the Town of Shelter Island applied for financial assistance from New York State under the non-agricultural non-point source Planning Grant Program for the purpose of funding the Wastewater Treatment Feasibility Study, and

"Whereas", the Town of Shelter Island is authorized and directed to accept these grant funds in an amount not to exceed $30,000.00 for the project described in the grant application, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island is authorized and directed to agree to the terms and conditions of the Master Contract with the New York State Department of Environmental Conservation for such Wastewater Treatment Feasibility Study, and

BE IT FURTHER RESOLVED, That the governing body of the municipality delegates signing authority to execute the Master Contract to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Supervisor or Deputy Supervisor.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 118

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

"Whereas", The Town of Shelter Island applied for financial assistance from the New York State Department of Environmental Conservation ("NYSDEC") under the Non-Agricultural Non-point Source Planning Grant Program for the purpose of funding the Fresh Pond In-Waterbody Control of Nutrients Study; and

"Whereas", The Town of Shelter Island is authorized and directed to accept these grant funds in an amount not to exceed $30,000.00 for the project described in the grant application; now, Therefore

BE IT RESOLVED, That the Town of Shelter Island is authorized and directed to agree to the terms and conditions of the Master Contract with NYSDEC for such Fresh Pond In-Water-body Control of Nutrients Study; and

BE IT FURTHER RESOLVED, That the governing body of the municipality delegates signing authority to execute the Master Contract to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Supervisor or Deputy Supervisor.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 119

Councilman Bebon offered the following resolution, which was seconded by Council-woman Brach-Williams, to wit:

"Whereas", The Town of Shelter Island applied for financial assistance from the New York State Department of Environmental Conservation ("NYSDEC") under the Municipal Food Scraps Reduction, Food Donation and Food Scraps Recycling Grant Program for the purpose of funding the composters and venison donation program; and

"Whereas", The Town of Shelter Island is authorized and directed to accept these grant funds in an amount not to exceed $30,056.00 for the project described in the grant application; now, Therefore

BE IT RESOLVED, That the Town of Shelter Island is authorized and directed to agree to the terms and conditions of the Master Contract with NYSDEC for such composters and veni-son donation program project; and

BE IT FURTHER RESOLVED, That the governing body of the municipality delegates signing authority to execute the Master Contract to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Supervisor or Deputy Supervisor.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 120

Councilman Dickson offered the following resolution, which was seconded by Council-woman Brach-Williams, 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 $36,000.00 from the 2020 A1620.476 computer services account to East End Computers LLC, 50 Hill Street, #265, South-ampton, New York 11968 for the EEC annual managed service contract for the period January 1, 2020 through December 31, 2020+ for the computers services contract.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 121

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 $5,000.00 from the 2020 A1620.476 computer services account to East End Computers, 50 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, 2020 through December 31, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 122

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 $4,800.00 from the 2020 A1620.476 computer services account to East End Computers, 50 Hill Street #265, Southampton, New York 11968, for the EEC backup monitoring service for disaster recovery for the period January 1, 2020 through December 31, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 123

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

"Whereas", Phillip Lechmanski 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 8 Mimosa Place, 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 $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 a conditional rebate of up to $15,000.00 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: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 124

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 A1490.484 Public Works office and miscellaneous account to the New York State Department of Environmental Conservation Department for the application fee by the Commissioner of Public Works to apply for repairs to the 2 Grace's Lane Police Boat dock and bulkhead.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 125

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

"Whereas", Edie Landeck, 28 Tuthill Drive, has petitioned the Town of Shelter Island for a wetlands permit to renovate existing single family dwelling to include minor exterior expansion, 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 14th day of February, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 126

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

"Whereas", Lawrence Scott Greenberg, 159 North Ram Island Drive, has petitioned the Town of Shelter Island for a wetlands permit to remove existing single family dwelling, well and septic and construct new including addition with new bathroom in existing detached garage to support existing swimming pool, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:45 p. m., prevailing time, on the 14th day of February, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 127

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

"Whereas", Richard and Rita Homan, 1 and 3 Montclair Avenue, have petitioned the Town of Shelter lsland for a wetlands permit for authorization for a 15 LF (3-4 boulders - maximum 2400 lb stone) return at the western end of the shoreline protection constructed in March 2019; the return is necessary to prevent the loss of sediment during high tides and storms from behind the western end of the boulders; the 15 foot return was not included in the original application due to different site conditions in 2017/2018 (i.e. presence of gradually sloped vegetated area) in this location; more erosion during the winter of 2018/2019 necessitates the 15 foot return; the proposed boulders shall be excavated approximately 1.3 feet into the beach and will be set on a geotextile fabric to prevent settling of the boulders into the sand; boulders shall be placed with a skidster that shall access the beach to the immediate east of the existing boulders; the access route shall be re-vegetated with Panicum Virgatum seed after disturbance; an existing unvegetated area shall also be planted with native Spartina patens and Ammophilia brevigulata to enhance naive habitat; place an additional 5 cubic yards of clean sand fill to cover exposed boulders installed in 2015 and subsequent plantings of native beach vegetation; construct an additional 17 linear foot of as-built boulders placed in March 2019 as part of Permit #0149, 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 14th day of February, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 128

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

BE IT RESOLVED, That the following transferals of 2019 funds are hereby approved:

$45.00 from the A1010.200 Town Board equipment account to the A1010.475 Town Board drug and alcohol testing account;

$1,742.00 from the A1010.484 Town Board office and miscellaneous account, and

$2,495.00 from the A1010.493 Town Board law library account to the A1010.497 Town Board professional services account;

$162.00 from the A1015.200 Media equipment account to the A1015.404 Media McGayhey technician account;

$2,863.00 from the A1110.200 Justice Court equipment account to the A1110.499 Justice Court stenographer account;

$269.00 from the A1220.492 Supervisor school, travel and mileage account to the A1220.484 Supervisor office and miscellaneous account;

$270.00 from the A1330.102 Receiver of Taxes clerk personal services account to the A1330.484 Receiver of Taxes office and miscellaneous account;

$69.00 from the A1410.418 Town Clerk records repair account to the A1410.484 Town Clerk office and miscellaneous account;
$1.00 from the A1490.115 Public Works personal services account to the A1490.118 Public Works personal services account;
$445.00 from the A1620.424 Buildings fuel account to the A1620.408 Buildings repairs and maintenance account;
$5,868.00 from the A3120.102A Police Department personal services account to the A3120.110 Police Department personal services account;
$1,465.00 from the A3120.486 Police Department car gas and oil account and dispersed as follows:
$768.00 to the A3120.277 Police Department office equipment account, and
$697.00 to the A3120.484 Police Department office and miscellaneous account;
$352.75 from the A3510.484 Animal Control Officer office and miscellaneous account to the A3510.200 Animal Control Officer equipment account;
$2,591.00 from the A4540.408 Ambulance building maintenance account to the A4540.478 Ambulance medical supplies account;
$1,919.00 from the A4540.428 Ambulance communications account and dispersed as follows:
$500.00 to the A4540.445 Ambulance utilities account,
$857.00 to the A4540.484 Ambulance office and miscellaneous account, and
$562.00 to the A4540.485 Ambulance vehicle maintenance account;
$177.10 from the A5710.400 Waterways Management contractual account to the A5710.100 Waterways Management Advisory Council clerk personal services account;
$190.00 from the A6772.485 Nutrition Program van maintenance and fuel account to the A6772.400 Nutrition Program food account;
$28.00 from the A6776.480 Silver Circle resource materials account to the A6776.408 Silver Circle maintenance account;
$1,009.00 from the A7020.462 FIT Center contractual account, and
$1,188.00 from the A7020.484 Recreation office and miscellaneous account to the A7020.262 FIT equipment account;
$55.00 from the A7020.484 Recreation office and miscellaneous account,
$1,077.00 from the A7320.200 Youth Center equipment account,
$165.00 from the A7320.424 Youth Center fuel account,
$610.00 from the A7320.484 Youth Center office and miscellaneous account, and
$1,167.00 from the A7620.400 Adult Recreation account to the A7320.408 Youth Center maintenance account;
$1,005.00 from the A8160.114 Landfill personal services account to the A8160.115 Landfill personal services account;
$76.00 from the A8160.117 Landfill personal services account and dispersed as follows:
$42.00 to the A8160.105 Landfill hazmat personal services account, and
$34.00 to the A8160.127 Landfill overtime personal services account;
$183.00 from the A8160.488 Landfill high visibility clothing account and dispersed as follows:
$54.00 to the A8160.451 Landfill C&D hauling account, and
$129.00 to the A8160.497 Landfill professional services account;
$647.00 from the A8510.412 Taylor's Island dock maintenance account to the A8510.408 Taylor's Island cabin repairs account;
$40.00 from the B1990.400 Part Town Contingent account to the B4020.400 Registrar contractual account;
$1,263.00 from the DA5140.150 Highway Brush & Weeds personal services account and dispersed as follows:
$1,180.00 to the DA5140.145 Highway Brush & Weeds personal services account, and
$83.00 to the DA5140.154 Highway Brush & Weeds personal services account;
$4,200.00 from the DA5130.154 Highway Machinery personal services account to the DA5130.446 Highway Machinery contractual account;
$6.00 from the DA5130.447 Highway Machinery oil, fluids and grease account to the DA5130.482 Highway Machinery grinder maintenance account;
$72.00 from the DB5110.146 Highway Repair & Improvements personal services account to the DB5110.441 Highway Repair & Improvements diesel fuel account; and
$117.00 from the DB5110.160 Highway Repair & Improvements double time personal services account to the DB5110.159 Highway Repair & Improvements overtime personal services account.

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

RESOLUTION NO. 129

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

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

At 4:53 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed Local Law entitled Chapter 55 Dogs, to replace the existing Chapter 55.

The Town Clerk noted 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 know Paul Shepherd worked quite extensively on it, I thought he might be here but, any comments; the only comment I have is he did a marvelous job, I think this thing has been toned down thanks to Paul's hard work and I think it's a good law, you know, I think it's something that's very reasonable, we started out with something that we were not comfortable with and we spent the time, I think we spent at least four, five months, going through this law bit by bit and I think we've come up with something that we can live with and again hopefully it satisfactorily addresses the needs that we have here on the Island; my name is Amy Zavatto, thank you, __ and I read about the law and my question is about the timing and who measures the timing on the dog barking, I have a dog, he doesn't bark too much but my neighbors, I just want to know who measures it; __ if there's a complaint, if there's a complaint and the Police show up, then the Police measure the time or the Animal Control Officer whichever, whoever shows up; okay; again, it's based on a complaint, it's not __; we actually changed the amount of time from day to night cause the night time was more sensitive, it's a shorter period of time, in the daylight, it's obviously double but the night time; also just for clarity, the time starts from when the officer shows up, it starts, it doesn't start when the complaint is; okay and so that's great; right; so that was my question about it __; thank you.

The Supervisor declared the public hearing closed at 4:56 p. m. and called to order the public hearing to be held as advertised on the application of Peter Reich, 3 Charlie's Lane, for a wetlands permit to demolish and remove existing two story dwelling with waterside porch and appurtenances, and construct a new two story, 2,415 square foot single family dwelling (approximately 229 square feet within wetlands regulated area) with 475 square foot waterside covered porch (approximately 423 square feet within wetlands regulated area) and 54 square feet of porch steps, and remove three oak trees from within wetlands regulated area.

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

Correspondence included the following:

1. An e-mail from Margaret and Brad Tolkin, neighbors of the Reich family, supporting the application.
2. An e-mail from Jack Morgani and Geri Schmitt supporting the Reich application to build a new house on the property.

The Supervisor noted that they have received positive reports from the Conservation Advisory Council and the Planning Board recommending that this project be approved, which were as follows:

TO: Town Board, Town Clerk, Town Attorney
FROM: CAC
DATE: Jan 13, 2020
Re: Peter Reich Wetlands Application
3 Charlie's Lane

Peter Reich, represented by En-Consultants, has filed a wetlands application to demolish and remove existing 1- 2 story dwelling, deck, walkways, outdoor shower and 1 oak tree. The house is located on a nonconforming lot of 0.82 acres. The house, circa 1959, conforms to C Zone setbacks but is located partially in the Regulated Area.

Mr. Reich proposes to build a new 1,313 SF with approximately 229 sf within the regulated area. A new 475 sf waterside covered porch with approximately 423 sf within the regulated area. It will have 54 sf porch steps. One Oak tree will be removed from the regulated area.

Most of the proposed new dwelling, 2 new drywells, new outdoor shower, new front porch and walkways, new HVAC equipment and new bilco doors are not within the town regulated areas.

Mr. Reich has a SCHD permit to install and I/A nitrogen reducing septic tank for the new dwelling. The present system installed in 2004 and updated in 2019 will remain.

The CAC discussed this application at the Jan 13, 2020 meeting. It was noted that this property is bulkheaded. The CAC passed unanimously a motion to accept the application as presented.

The Planning Board reported, as follows:

7 January 2020
Re: **Peter Reich Wetlands application**
3 Charlie's Lane Shelter Island Heights
SCTM # 0700-23-1-24.3
Zone C Residential within Near Shore Peninsular Overlay District

We are in receipt of a wetlands application for Peter Reich of 3 Charlie's Lane, submitted by En-Consultants dated 11/13/19 resulting from a denial of a building permit on 11/7/19.

The applicant wishes to demolish an existing 1,422 sq. ft. house, circa 1959, along with a deck, walkways, outdoor shower, and 3 oak trees on this .82- acre lot. The existing patio is 76' from the wetlands line and the existing house 88'. The majority of the existing house is outside the regulated area.

The applicant wishes to then build a new 2,415 sq. ft. house in the same location as the existing dwelling with an unfinished basement, back covered porch, front entry porch, a new outdoor shower, new walkways along with a new HVAC system. The new back porch stairs corner will be 76' from the wetlands line and the new house 88'. The majority of the new house (larger than the existing structure), including 2 drywells, outdoor shower, front porch, walkways Bilco doors (cellar access), and HVAC equipment will be outside the regulated area.

The proposed structure will be outside the 75' buffer area, and mostly outside the 100' wetland regulated area with an exception of 706 sf of impervious surface (compared with 423 sf in the existing structure).

Planning Board members visited the site on December 12, 2019 and made the following observations. This is an L-shaped lot with 100' of frontage on Charlie's Lane and approximately the same on Menantic Creek. The water side is completely bulkheaded in wood that was constructed in the 1990's and is in good shape. The vegetative buffer area between the proposed replacement house and the bulkhead will be maintained.

At the entrance of the property, there is a 2-story garage with accessory sleeping above that will remain.

The house in question is more toward the center of the property, closer to the water side and at first glance would be considered small by even old Shelter Island standards. On closer inspection, it becomes clear that it has seen better days and would be considered a tear down.

Even though the construction is outside the 75' wetlands zone, the applicant has received approval from the DEC with permit #1-4732-00692/00006, dated 9/9/19.

The owner has installed a Fuji Clean Cen5 I/A system, connected to 6 leaching pools, which are already in service for the existing house and are adequate for the new house. (SCDHS # R07-18-0048).

Applicant proposed to install a roof drainage system with drywells to further mitigate potential impact on groundwater.
The submitted survey, from Nathan Taft Corwin III, Land Surveyor, last updated May 10, 2019, shows a small shed that is 7.8' from the property line when it should be 10'. The Town Board may wish to request the shed be relocated to a conforming location.
The location of the 3 oak trees are marked on the survey near the south side of the existing house. On inspection, one is leaning toward the house so bad it presents a danger. One is dying, and all 3 would be in way of the construction. We recommend the removal of the trees.
Conclusion and Recommendations
The Planning Board recommends that the Town Board approve this application. We see that the scope and size are in keeping with the neighborhood at best - certainly not overbearing. We see little impact on the protected wetlands area.
We further recommend that the Town Board draw the applicants' attention to:
– to the sensitivity of Menantic creek; its health is a fraction of what it was 40 years ago.
– the use of the best building practices be used in terms of controlling run-off and protecting the bay.
By: Markus 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: good evening, Rob Herrmann of En-Consultants, 1319 North Sea Road, Southampton, on behalf of the applicant, the owners of the property, the Reichs are also here and support their application, sounds like some positive reports from the Planning Board and CAC and support from the neighbors, so I'll try to go through a quick summary of the report, I'm sorry, the application as quickly as I can, there are a couple of housekeeping items related to the, noted to the description that I wanted to cover and make sure the Board is clear, basically the application is fair and straight forward to the extent that there's an existing house and a deck that is partially located within the one hundred foot setback and that's within the Town's wetlands regulated area, that house and deck is to be demolished and removed and it will be replaced with a dwelling that will be a little bit larger but will not be located at all within the sev- enty-five foot vegetative buffer, it has a one thousand one hundred and thirteen square foot footprint, I know there was a little bit of confusion about that number versus I think what number ended up in the notice which was the gross floor number of the sfla so the sfla as we put in the application was twenty-four oh eight, I think it's twenty-four fifteen in the notice but just so everyone understands where that thirteen thirteen came from, that's just the ground area footprint; correct; as the crow flies, of that thirteen thirteen, only about two hundred and twenty-nine square feet of that footprint is actually located within a hundred feet of the wetland, there's a four hundred and seventy-five square foot porch on the waterside, four hundred and twenty-three square feet of that is located within the regulated area as are the fifty-four square foot steps, so there's a total of seven hundred and six square feet located within the one hundred foot regulated area and again there are no structural components within the seventy-five foot vegetated buffer, the proposed dwelling will be serviced by a recently installed low-nitrogen IA sanitary system, I believe that was installed in September I think and that's located outside the regulated area to the landward side of the house, the project also included, there are three oak trees, I think the notice said that all three were coming out of the regulated area, that's incorrect, actually only one, those three trees are shown on the site plan and also on the survey, they're a lot easier to find on the survey, they're on the south side of the house and you can see the hundred foot setback goes through the one that is closer to the water, additional mitigation to the project would be runoff control, ob- viously temporarily there in construction with the silt back project limiting fencing, permanently with a proposed drainage system and there's also one of these very non low fertilizer dependent __ zoysia grasses that exist between the bulkhead and the house, that area is to be maintained, again as the Board knows, that is a grass that is highly drought tolerant, not dependent on fertilizers, so we would seek to maintain that condition within that seventy-five foot buffer; the CAC by the way, they brought that item up and they would like to maintain that rather than have any type of buffer area in there, they felt very comfortable in having the zoysia; it's flat; it's a very flat, it's not sloped down, it's a very sloped lot; okay so we'd be very comfortable with that, New York State DEC has issued a tidal wetlands permit, they issued a permit initially for the septic installation and there's a permit that has been issued for the dwelling replacement as well, that's about it,

if the Board has any other questions, we'd be happy to try to answer them; anybody, anybody in the audience have any questions or comments; no, no; sounds good, thank you for hearing this.

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 South Ferry, Inc., 127 South Ferry Road, for permission to remove existing 6' by 98' fixed dock, and construct 8' by 98' fixed dock in-place, construct a new 8' by 100' fixed dock, install new 6' by 60' floating dock, realign existing 6' by 61.5' and 8' by 16' floating docks as required, remove existing mooring pilings marked (R) and install three new 5-pile mooring dolphins and nine new 3-pile mooring dolphins in Smith's Cove.

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: Cliff Clark, South Ferry, I'll give a brief description of this, this is to accommodate our fifth boat which in mid-March we are hoping to bring down to put in service at Shelter Island and that will give us a five boat fleet, that is our long term plan to be a five boat fleet, right now we, when we finish the boat in March, the new Southern Cross, it will be four large boats, a hundred and twenty-one footers and we will keep the Captain Bill Clark as a fifth boat for maybe the next six to eight years and then hopefully they'll fit a hundred and one footer and for our long term planning and we don't know how long down the road is a long time but we don't think there's any need for more than five boats and I don't know what you'd do with a sixth boat cause of the size of the opening of the channel so the idea of ultimately __ the next few years, have a five large boat fleet, what we're faced with is the area called the east landing, our maintenance dock, is a dock that was started in the eighteen hundreds and we have just over the years, my lifetime, that basic dock has always been there and we've just built on to it and we __ to accommodate the bigger boat on the south side and we have one boat space on the north side of the dock, now, we're gonna have three boats that we're gonna have to find a home for when the boats are out of service, two boats will stay as they do now and three will be at what we call the east landing and this dock modification, first time since the eighteen hundreds, that whole area is gonna be gutted and we'll have just open water there and that's gonna be a __ and I'll say also that we're gonna be building a new barn and replacing an eighteen hundred barn this year, it's kind of an emotional year for the Clark family, stuff like that is Clark history, but that's the whole, the sole purpose of this is to build a new dock, to take advantage of it and start from scratch, keep the existing bulkhead which has been rebuilt in recent years and we will raise the dock about a foot and a half to meet the level of the bulkhead which was also raised in the past ten years, and so that __ raise the dock __ situation and widen it so that we can take our small utility, small pickup truck and actually drive it out there and carry equipment, skid steer and __ to service those boats, we'll put new electrical on the slips, we have water out there with a fire hydrant out there on the end just like we have on the land right now and it's just really to accommodate the new boats and construction could start as early as early February, pending the outcome of this Board, we have gotten approval from the DEC, I have the permit, did you get one from them; no; okay, I have one right here with the permit, that's your copy there, __, there is no Board of Health issue so it's really the Town, __ answering questions if you have any; I have a question, it's more of in general than specific; sure; when they are redoing bulkheads now, are they taking into, and docks, are they taking into account the rise in sea level; we started that about twelve years ago, John Costello wisely said you need to think about that and at the east landing and at the ferry slips, we were raising all the bulkheads and measuring, as you probably know we are __ grant money to raise the road over at North Haven and that is gonna be our precedent to go in for more grant money to do the same thing on Shelter Island to some degree; yes; first time ever a private ferry company had gotten federal grant highway money; yes; it hasn't had a Town owned entity and the argument we used on the message we took to Assemblyman Thiele and to the DOT in Suffolk is we don't have, the Town doesn't own the roads, doesn't own the land and I don't think that most of them ___ but in fact we are in a relationship with the County and the State because of the regulated rates, we have a franchise that we have to renew every five years and we have and we probably will __, so we took that argument to them a year ago and we still _ the highway __, several million dollars and __ put drainage on the hill coming down to keep water from running into the channel, they're gonna raise the road at east side, we're gonna lengthen our slips to accommodate the tides and they're gonna do some bulkheading work, ___ one fourteen __; is it State funded or is it __ funded; it's very interesting because, whatever

happens is the Town may own the land that there may be a ferry authority or __ if the Town buys the boat, they lease it back to us for a dollar and you'll own it and we'll drive it and it usually has an actual ownership partnership; right; and the situation we have here is, there is so much money that the State highway is going to love to grab that really is in South Ferry's name that they are gonna pay the twenty percent, New York State will pay twenty, federal is gonna pay eighty and typically it's eighty for the municipality and twenty for the company but they're getting so much money for one fourteen because of our argument of money into the ferry boat company that they're just gonna pick up the tab for twenty which is great for our ratepayers; and Fred Thiele was the main player in this; Fred Thiele was a big player in it and yes he was the one, we __ to Fred and Fred liked it and he called the meeting of all the right people up in Hauppauge about a year ago; right; and it's his horsepower behind it and then we kept using his leverage to keep it moving; that's great; but they really got over it, the State district ten D.O.T. really got on board when they saw the possibilities; right; and so it's a little out of the box but it's really gonna benefit, and we may be a couple of years away from, it's not like the State jumps on projects and _ do it for about one quarter of the cost ___ but once we get this one, really lock down the project, get going, then we'll come in and try to do the same thing on Shelter Island and hopefully that will get some __; what is the schedule for the new boat; the new boat, most recently is the launch on March tenth and hopefully to bring it in here by the twentieth, bring it in, get our people trained on it and put it into service, it should be nice, we have at least one of our maintenance technicians up there every week, spend the whole day on Wednesday, he's up there today; right; and just to watch the big stuff so there are no surprises, we've got a real sharp maintenance team headed by Joey Clark, he's our chief engineer right now and they've been on top of it and so we're excited about it, we're going back to the Southern Cross name which most people remember, that was what we __ Theirnert was in nineteen ninety-eight and in two thousand ten was named after Theinert; there's a couple of things, number one I wanted to, I think Jimmy Read is our Chief and also our Emergency Management, the Town, probably a year and a half ago, he had both you and North Ferry down there; yes; and started to talk about rising sea level and what we could do and taking pictures and documenting, all of this is starting to come into fruition so hats off to our Chief making that happen and hats off to the two ferry companies for being so responsive, of the four terminals, bays going on and off the ferry, you're hitting one of the three major ones, I think the one least problematic is the one on the Greenport, the North Ferry side because it's up pretty high; they go down from the; yes, right, and they're fixing that which is gonna make a big difference; and I think hopefully in a matter of five to ten years, all of this will be taken care of and it can't come soon enough, the other thing is, Cliff did a history lesson at the WMAC on the history of South Ferry which we all really appreciated and learned a lot from and the other thing I wanted to mention is that Cliff as a businessman, also touched base with his neighbor and made sure that Mr. Lightcap was on board with this and he took care of that and that was a feather in your cap and then when there was some slight adjustment with the actual plan, we went back and we contacted all the members of the WMAC in the last week to ten days and every one of them respond-ed back favorably to the project so thank God Cliff has been working this with Fred, thank God you're securing these monies because without money, it just doesn't get done; I appreciate, I really am excited about the New York State D.O.T. people that we're working with, for example, they have to put money into the east __ because that's the right-of-way, the west slips on both sides are ours, the right-of-way is basically fifty feet which is our basic right-of-way on both sides and I was concerned about and Rich Carlson is our engineer and I said the big issue, the really big help is to raise the east slips ___ so I said __ with something and he just said there's a lot of blacktop involved in this big project, don't spend any money yet so I think he's gonna be very helpful in keeping cost down for when we do the west slip as a part of this project, I'm glad the New York State D.O.T. people ___, the rip-rap along the sides __ at North Haven, they came down, they looked at it, I showed them this thing and they said years, I said years are fine but it's happening now and Rich was there and said we're gonna get something in there and a reasonable time after that, I don't know, fifty, sixty tons of stuff and then what it does is it keeps it from being a sluiceway right through the sand, gouging everything out and __ on the rocks and it sticks to the rocks and we don't see the sheen as much as we used to after having a rainfall, it's there, it's not __; what's your projection on the road raising, is it eighteen inches; it's gonna be raised a foot on the east side; okay; and then it's gonna be raised probably six or so more inches, six inches to a foot on the west and we're gonna extend our platforms from twenty-four feet to thirty feet in length so that would give us a higher annual and it will accommodate the low tides and the high tides better without having ___ so __ you remember the situation with Mrs. Jernick where; the ambulance; ___ in a pick-up truck and covered her with a tarp and that was an inch, I remember

an inch, from being a no go; right, I understand; Jon Westervelt, our senior captain, the boat wouldn't quite get under the platform, he backed it up about three feet, put it the __ engine, reversed it, sucked the bow down and slid it under the platform and then we chained it up and that's the way __ another engine, this will probably give us an extra foot of tide by lengthening it to thirty feet; that's good; not that it's cheap but it's gonna be a good investment; yes., we're very supportive of the dock, the boats get larger and they need places to store them and I think the people in the audience maybe or at home maybe don't know that during storms they could be stored in West Neck Harbor or other places, we have I think; we have, the Cardillo family, Jeffrey and Gary Cardillo who have a small place next to where Carey lives in, they offered us and we've also used them in a couple of storms, their bulkhead, that will accommodate the short boat and then the other two boats can be moored, two boats can be moored out in West Neck Harbor and then one can be moored in West Neck Bay; yes; we have three West Neck moorings and we may have to use one when the docks are under construction just to store a boat cause that other boat is gonna be __, we're just gonna do it one time and just really start from scratch and set it up for the future; Cliff thanks very much for your time; we have a permit for the dredging, what do we do as far as the Town for any approval for the area for the spoil from the dredging, we have a permit, we have the DEC __, it puts it right on the beach right ___ my brother's place; the DEC approved it; they haven't approved it but they like it and they will approve it; I don't know, what's the answer Bob; the DEC has to answer that; a couple of years back when you did the major dredging, you pumped it all the way to Shell Beach; right; this will be about sixty thousand yards rather than a hundred; correct, you see the difference, it's a terrific amount of sand, that was a very good project and at the end, the State and __; so Bob I'll leave that in your hands; yes, the DEC is actually __; we have the permit ___; that originally wasn't supposed to go to Shell Beach, that originally was supposed to go the Wade's Beach but the coarseness of the material that they were taking up, with the amount of rock and the big stone that was in it, that's why it went to Shell Beach because technically Shell Beach is not a beach, it's a another ___ so they put it there; __; thanks for coming.

The Supervisor declared the public hearing closed at 5:19 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 130

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

"Whereas**",** a public hearing was duly held on the 24th day of January, 2020, on a proposed Local Law entitled Chapter 55 Dogs, to replace the existing Chapter 55, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 1 - 2020 to replace the existing Chapter 55, is hereby adopted, to wit:

§ 55-1 Definitions.

The Town of Shelter Island adopts the definitions contained in §108 and §350 of the New York Agriculture and Markets Law except to the extent that they are modified or supplemented by the following:

ANIMAL RESCUE OPERATION - Any duly licensed individual or non-for-profit organization which takes custody of stray, surrendered, abandoned or otherwise unwanted animals for the purpose of facilitating adoption and houses such animals at either a centralized facility or in a foster home or network of foster homes.

AT LARGE - When any dog is off the premises of its owner and not under the reasonable control of the owner.

COMPANION ANIMAL or **PET** - For the purpose of this chapter, this shall be coextensive with the definition in §350(5) of the New York Agriculture and Markets meaning any dog or cat, or other domesticated animal maintained in or near the household of the owner or person who cares for such other domesticated animal. "Pet" or "Companion Animal" shall not include a "farm animal."

CONTINUALLY - For the purposes of this chapter, defined as at regular or frequent intervals throughout the observation period.

DANGEROUS DOG - For the purpose of this chapter, this shall be coextensive with §108 (24) of the New York Agriculture and Markets Law meaning any dog which (I) without justification attacks a person, companion animal, farm animal or domestic animal as defined in the New York Agriculture and Markets Law and causes physical injury or death, or (ii) behaves in a manner

which a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to one or more persons, companion animals, farm animals or domestic animals, or (iii) without justification attacks a service dog, guide dog or hearing dog and causes physical injury or death.

DOG - Any member of the species canis familiaris of any breed of either sex or any age.

FARM ANIMAL - For the purpose of this chapter this shall be coextensive with the definition in § 350(4) of the New York Agriculture and Markets Law meaning any poultry, species of cattle, sheep, swine, goats, llamas, horses or fur-bearing animals , which are raised for commercial or subsistence purposes. This does not include dogs or cats

FOSTER HOME - The temporary, off-site location at a residential dwelling harboring five (5) or fewer animals at any one time under the care, custody or direction of an Animal Rescue Operation provided that such foster home is located at an address not otherwise associated with an Animal Rescue Operation.

HARBOR - To provide food or shelter to any dog.

IMPOUND - To apprehend, catch, trap or net a dog and thereafter confine it.

OWNER - Any person, group of persons, including the parent or guardian of an owner under the age of 16 years, firm or corporation that harbors or keeps a dog or dogs.

PUBLIC NUISANCE - A public nuisance occurs when a party's actions cause unreasonable, unwarranted, or unlawful interference with the rights of other citizens which affects public health, safety and welfare.

REASONABLE CONTROL - When any dog is on the premises of its owner or when the dog is with and obedient to its owner.

§ 55-2 Authority.

This Chapter is promulgated pursuant to the authority granted by §122 of the New York Agriculture and Markets Law.

The Town of Shelter Island adopts Article 7 of the New York Agriculture and Markets Law in its entirety except where individual provisions are superseded by this chapter.

The Town of Shelter Island adopts Chapter 302 of the Suffolk County Code in its entirety except where individual provisions are superseded by this chapter.

§ 55-10 License required.

No person shall own or harbor a dog or dogs within the Town of Shelter Island unless such dog is licensed by the Town on Shelter Island as required by this Code as well as by §109 of the New York Agriculture and Markets Law or can present proof of licensing by any other competent jurisdiction that requires vaccination against rabies.

A. All dogs within the Town of Shelter Island four months of age or older, unless otherwise exempted, shall be licensed. The owner of each dog required to be licensed shall obtain, complete and return to the Town Clerk a dog license application together with the license application fee, any applicable license surcharges and such additional fees as may be established by the Town of Shelter Island. Each license application shall be accompanied by proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life, in which case vaccination shall not be required. Each license issued shall be valid for a period of one year and shall not be transferable.

B. Any dog harbored within the Town of Shelter Island by any of the following is exempt from the licensing provisions of this section:

1. Foster Home
2. Animal Hospital
3. Veterinarian

C. The Town of Shelter Island authorizes the Town Clerk to provide, accept and grant an application for a dog license.

D. Fees.

1. Pursuant to §110 (1) and (3) of the New York Agriculture and Markets Law, the Town of Shelter Island hereby establishes the fee for a dog license issued pursuant to this section at one fee to be set by resolution for a spayed or neutered dog, and another fee set by resolution for an unspayed or unneutered dog. One ($1) dollar of the fee is payable to NYS Department of Agriculture and Markets as a surcharge for spayed or neutered dogs, and three $3 dollars of this fee is payable to NYS Department of Agriculture and Markets as a surcharge for unspayed or unneutered dogs. There shall be a separate fee established by resolution to replace lost or damaged tags.

3. The fees may be modified from time to time by resolution of the Town Board as necessary to defray the cost of an enumeration of dogs living within the Town and the cost of providing and replacing identification tags.

§ 55-11 Dogs Prohibited in Certain Locations.

A. Dogs shall be prohibited from the following locations.

1. Town Beaches to the extent set forth in Shelter Island Town Code 36-13.
2. Any establishment in the Town of Shelter Island where food or food products are kept for sale.

B. Legally recognized service animals shall be exempt from this section.

§ 55-12 Running at Large Restricted.

A. Every person owning or having charge, custody, care or control of any dog or dogs, whether licensed or not, shall keep such dog or dogs exclusively on his own premises, subject to the following exceptions:

1. Such dog, when off such premises, is under the immediate and reasonable control of its owner or leashed; or
2. Such dog is engaged in aiding in hunting wild birds or animals during open seasons or such dog is afield for training in hunting; or
3. Such dog is on the premises of another person with such person's consent.

B. Any dog which causes damage to a person or property of anyone other than the owner, except when the dog is in defense of its owner, the owner's family or the owner's property shall be deemed not to be under reasonable control of the Owner.

§ 55-13 Biting dogs.

It shall be unlawful for a dog owner to permit or allow his/her dog to injure another person or Companion Animal or to cause physical damage to property.

A. A dog which bites any person shall be confined by the owner of said dog and kept under observation for a period of at least ten (10) days, and all expenses incurred incidental to said dog bite shall be paid by the owner of the biting dog.

B. If at the end of the ten (10) day observation period required by Suffolk County the dog is alive, healthy, is not otherwise in violation of any provision of this chapter, it shall be released from confinement.

C. In the event that the biting dog must be disposed of, its head must not be damaged in any way, to provide proper examination by an investigating agency.

D. Any victim or witness to a dog bite may file a complaint seeking to designate a dog as a "Dangerous Dog". The Animal Control Officer must initiate such an action if s/he believes the dog poses an imminent threat to public health and safety under to §123 of the New York Agriculture and Markets Law.

§ 55-14 Excessive Barking.

No person who harbors any dog or dogs shall cause, suffer, allow or permit any such dog or dogs to create a noise disturbance due to excessive barking audible across a real property line.

A. For purposes of the section, "excessive barking" shall be one or more dogs barking continually for a period of:

1. Ten (10) minutes or longer from 11:00 p.m. through 7:00 am or;
2. Twenty (20) minutes or longer from 7:00 am through 11:00 p.m. or;

B. Such barking shall be prima facie evidence of a violation of this chapter.

§ 55-15 Attendance to injured animals.

The Animal Control Officer is hereby given authority by the Town Board of the Town of Shelter Island to attend to and remove injured animals from the public highways and public streets, parks and public places of Shelter Island.

§ 55-20 Investigations.

A. Any Animal Control Officer or Police Officer is authorized to investigate any alleged or apparent violation of this chapter.

B. Any Animal Control Officer or Police Officer, upon a showing of reasonable cause to believe that a violation of this chapter has occurred and upon allegations of fact based upon personal knowledge or upon information and belief, may obtain from any Court of competent jurisdiction a warrant to search any premises pursuant to Article 690 of the New York State Criminal Procedure Law.

§ 55-29 Entry onto Premises.

A. Upon application of the Shelter Island Police Department or the Animal Control Officer, and upon a showing of any threat to the life, health or well-being of any person or animal, or upon a showing that a dog or dogs have been charged with 3 or more violations of this chapter within

thirty (30) days pursuant to section 55-30(B)(5), any Court of competent jurisdiction may grant access onto and in to private property for the purpose of investigating or seizing any dog or dogs in violation of this chapter.

§ 55-30 Seizure and impounding.

A. Any dog or dogs found in violation of the provisions of this chapter may be seized pursuant to the provisions of §117(2) of the New York Agriculture and Markets Law.

B. Notwithstanding whether a dog or dogs have violated any provision of this chapter, and pursuant to the provisions of §117(2) of the New York Agriculture and Markets Law any Animal Control Officer of Police Officer in the employ of or under contract to a municipality may seize:

1. Any unidentified dog not on the owner's premises;
2. Any unlicensed dog, whether on or off the owner's premises;
3. Any dog not under the control of its owner or custodian or not on the premises of the dog's owner or custodian, if there is probable cause to believe the dog is dangerous.
4. Any dog or dogs that present a potential or immediate threat to other persons or Companion Animals.
5. Any dog or dogs charged with three (3) or more separate and distinct violations of this chapter within any 30 day period where such violations constitute a public nuisance may be seized pending the adjudication of such violations

C. Where there is cause to believe that a dog is "Dangerous", the Animal Control Officer shall, promptly upon seizure, commence a proceeding as provided for in subdivision two of section one hundred twenty-three of the Agriculture and Markets Law.

§ 55-31 Care for impounded dogs.

A. Every dog seized shall be properly cared for, sheltered, fed and watered for the ten-day redemption period, except for a dog seized under Article 26, §373, Subdivision 2, of the Agriculture and Markets Law, in which case §374 shall apply.

§ 55-32 Redemption of impounded dogs.

A. Redeeming Unlicensed or At Large Dogs

The owner of any dog impounded by the Town of Shelter Island for being unlicensed or running at large under section 55-30(B)(1) or (B)(2) above shall be entitled to redeem that dog within five business days, excluding the day the dog is impounded, from the day the dog is impounded, provided that the owner produces proof the dog is licensed and identified and pays an impoundment fee as established from time to time by resolution of the Town Board.

B. Redeeming dogs seized for other Violations

The owner of any dog impounded by the Town of Shelter Island for a violation of other provisions of this chapter shall be entitled to redeem that dog at such time as the owner:

1. Produces proof the dog is licensed and identified;
2. Pays an impoundment fee as established from time to time by resolution of the Town Board; and
3. Satisfies any conditions set forth by the Court with the recommendation of the Animal Control Officer.

C. Redemption Fees

Seized dogs may be redeemed pursuant to section 55-32(B) and by paying the impoundment fees set forth in §117(4) of the New York Agriculture and Markets Law:

1. The Animal Control Officer is authorized to waive this fee if he determines that the dog has a license and sufficient identifying information to be returned to the owner.
2. If the owner of any unredeemed dog is known, such owner shall be required to pay the impoundment fees set forth this section, whether or not such owner chooses to redeem his or her dog.
3. If the owner of an unredeemed, injured dog is known, such owner shall be required to pay the impoundment fees, license fee and any fee for veterinary services before the dog is released from an animal hospital, whether or not such owner chooses to redeem his or her dog.

D. Unredeemed Dogs

The owner of any dog which is unredeemed at the end of the redemption period shall forfeit title and the dog made available for adoption or disposed of pursuant to §117(7) and (7a) of the New York Agriculture and Markets Law. The fees for adoption of said animals shall be set from time to time by the Town Board.

§ 55-33 Voluntary Surrender.

Voluntary surrender shall give authority to the Animal Control Officer to accept and dispose of unwanted, owned dogs if the following conditions are met:

1. The owner agrees to dispense with the usual redemption provisions when turning in an unwanted, licensed dog or dogs.
2. The owner executes a consent and/or affidavit in a form prescribed by the Town agreeing to the disposition of said dog. Such consent and/or affidavit shall include the following:

a) Unless specifically requested by the owner, the adoption or destruction of said dog shall be at the discretion of the Animal Control Officer, absolving the Animal Control Officer and the Town of all liability.

b) The maximum number of days an adoptable dog or dogs shall be held before being disposed of shall be 30 days.

3. The owner has purchased the appropriate license in order to establish proof of ownership, absolving the Town of all liability.
4. The owner agrees to pay a fee for the surrender of such dog or dogs. Such surrender fee shall be set from time to time by the Shelter Island Town Board.
5. The Animal Control Officer shall have the authority to discontinue the service of voluntary surrender at such times when accepting dogs would create a condition whereby seized dogs could not be properly sheltered and cared for.

§ 55-35 Penalties for offenses.

Any person owning or harboring a dog or dogs in violation of any of the provisions of this chapter shall be guilty of a violation and punishable as follows:

A. For a first offense, imprisonment of a term not in excess of 15 days and/or a fine not to exceed $150 for each offense.

B. For a second offense within ninety (90) days of the date of the first offense, imprisonment of a term not in excess of 15 days and/or a fine not to exceed $300 for each offense.

C. For a third or any subsequent offense within ninety (90) days of the date of the first offense, imprisonment of a term not in excess of 15 days and/or a fine not to exceed $600 for each offense.

D. In addition to or in place of any penalties in subsections A, B and/or C above, any Court having proper jurisdiction may require any person harboring a dog found to be in violation of this chapter to take any reasonable measures as may be necessary and appropriate to alleviate any nuisance created by that violation.

SECTION 55-36 Effective Date:

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 131

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

"Whereas", South Ferry, Inc., 127 South Ferry Road, has petitioned the Town of Shelter Island for permission to remove existing 6' by 98' fixed dock, and construct 8' by 98' fixed dock in-place, construct a new 8' by 100' fixed dock, install new 6' by 60' floating dock, realign existing 6' by 61.5' and 8' by 16' floating docks as required, remove existing mooring pilings marked (R) and install three new 5-pile mooring dolphins and nine new 3-pile mooring dolphins in Smith's Cove, and

"Whereas", a public hearing was duly held on the 24th day of January, 2020, 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 renovation:

1. will not cause an obstruction into navigable channels or an interference with navigation;
2. will not adversely affect the public's right to use Town waters or land under Town waters;

3. will not adversely affect shellfishing grounds or other aquatic wildlife which may exist in the immediate area;

4. will not adversely affect the quality of the tidal waters, shoreline or beaches;

5. will not adversely affect the rights of adjacent residents; and

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

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:44 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

February 14, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 14th day of February, 2020. 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 Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and ten persons were also present.

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

Salute to flag.

Correspondence included the following:

1. A letter from Michael Schiano, Environmental Planner for Inter-Science, requesting an adjournment of discussion on the dock application for Thomas Campbell Myers at 2 Bay Avenue, until the March 2020 meeting
2. A letter from Craig Wood expressing his interest in joining the Planning Board.
3. A letter from Margaret Anne Larsen applying for a position on the Planning Board.
4. An e-mail from Maggie Davis resigning from the Recreation Commission.

The Supervisor read a Proclamation honoring Mr. Garth H. Griffin who passed away on January 27, 2010. (A copy of said proclamation is attached to these minutes.)

The Supervisor presented the following financial report for the month of December, 2019:

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	4,469,661.34	222,855.05	1,321,526.69	3,370,989.70	805,638.20
Hwy Checking	994,691.50	3,139.88	524,033.08	473,798.30	
T&A Check	496,351.07	30,678.41	28,649.11	498,380.37	10,461.60
T&A Savings	12,238.98	0.32	0.00	12,234.30	
Hwy Cap Res	393,566.30	10.63	0.00	393,576.93	
WNW Supply	16,287.05	2,339.04	2,224.71	16,401.38	153,450.89
Taylor'sIsland	44,052.42	16.82	0.00	44,069.24	
Comm.Preserv.	2,292,828.80	1,393.98	3,430.53	2,290,792.25	7,871,127.78
Waterways	298,274.29		0.00	298,274.29	
Reserve Fund	2,286,601.41	0.00	0.00	2,286,601.41	
Bridge St Escr	0.00	0.00	0.00	0.00	369,401.22
Environmental	0.00	0.00	0.00	0.00	5,649.23
FIT Ctr Reserv	20,045.25	0.00	0.00	20,045.25	
Ambul Reserv	216,608.76	18.33	0.00	216,627.09	
Ambul Training	24,471.79	0.64	0.00	24,472.43	
TOTALS	11,565,673.96	260,453.10	1,879,864.12	9,946,262.94	

RESOLUTION NO. 132

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

BE IT RESOLVED, That Beau Payne is hereby appointed to serve as Bay Constable for the year 2020 retroactive to January 17, 2020, to be paid as per the 2020 budget.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 133

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

"Whereas", the term of Gordon Gooding as a member and Chairman of the Community Preservation Fund Advisory Board will expire on February 2, 2020, and

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

BE IT RESOLVED, That Gordon Gooding is hereby reappointed to serve as a member and Chairman of the Community Preservation Fund Advisory Board for a term to expire on February 2, 2023.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 134

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 January 2, 2020, John Mahoney was reappointed to serve as Bay Constable for the year 2020, and

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

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

BE IT RESOLVED, That John Mahoney is hereby appointed to serve as Bay Constable for the year 2020, to be paid at the rate of $30.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 135

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 January 2, 2020, Jose Manuel Payano Cruz was reappointed to serve as Detention Attendant for the year 2020, and

"Whereas", Mr. Jose Manuel Payano Cruz has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Jose Manuel Payano Cruz continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Jose Manuel Payano Cruz is hereby appointed to serve as Detention Attendant for the year 2020, to be paid as per the following rate schedule:

for the first two hours or any part thereof $100.00; and

for each additional hour at the rate of $20.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 136

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

BE IT RESOLVED, That the following persons are hereby designated to serve as members of a Hazardous Mitigation Plan Review Group for a term of six months, to expire on August 14, 2020: Chief of Police James J. Read, Jr., Town Attorney Robert J. DeStefano, Jr., Superintendent of Highways Brian Sherman, Councilman Michael Bebon, Town Engineer John Cronin, and Building Inspector Christopher Tehan.

Vote: 4 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:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $462.07 from the 2020 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, 2020 through January 23, 2021, for the copy machine in the Police Department.

Vote: 4 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:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $648.00 from the Police Department's 2019 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.

Vote: 4 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:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $648.00 from the Police Department's 2020 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.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 140

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

“Whereas", Emily Hallman 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 East Thomas 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 $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 a conditional rebate of up to $15,000.00 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. 141

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

"Whereas", Marc Wein 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 2A Tuthill Drive, 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 $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 a conditional rebate of up to $15,000.00 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. 142

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

"Whereas", Cydney Pullman 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 31 South Midway 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 $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 a conditional rebate of up to $15,000.00 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. 143

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

"Whereas", Tom Hashagen 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 70 West Neck 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 $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 a conditional rebate of up to $15,000.00 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. 144

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

"Whereas", Mark Ledzian and Kathleen Daley 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 23 Tuthill Drive, 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 $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 a conditional rebate of up to $15,000.00 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. 145

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

"Whereas", pursuant to Section 170.15 of the Criminal Procedure Law, then acting Chief Administrative Judge of the Courts, Gail Prudenti, on November 20, 2013, created the East End Veterans Court effective June 19, 2013, consisting of the Town and Village Courts for the Towns of East Hampton, Shelter Island, Southold, Southampton, and Riverhead; and

"Whereas", said Veterans Court has been denominated as part of the East End Regional Intervention Court pursuant to C. L. P. 170.15(4), and

"Whereas", C. Randall Hinrichs, District Administrative Judge, will execute an order assigning Westhampton Beach Village Justice Martha Rogers to serve as the East End Regional Intervention Court Justice for the East End Veterans Court; and

"Whereas", pursuant to Section 106 of the Uniform Justice Court Act, the Town of Southold should designate Town or Village Justices to serve in the East End Regional Intervention Court 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 Westhampton Beach Village Justice Martha Rogers serving in the East End Veterans Court at no additional compensation; and

BE IT FURTHER RESOLVED, That that the Town Clerk is hereby directed to forward a copy of this resolution to Hon. C. Randall Hinrichs, District, Administrative Judge's Office, 400 Carleton Avenue, Central Islip, New York 11722; Hon. Deborah E. Kooperstein, Southampton Town Court, 32 Jackson Avenue, Hampton Bays, New York 11946; Hon. Helen Rosenblum, 1287 East Main Street, Riverhead, New York 11901; Hon. Allen M. Smith, 210 Howell Avenue, Riverhead, New York 11901; and Hon. Martha Rogers, 165 Mill Road, Westhampton Beach, New York 11978 and Hon. Eileen A. Powers, P. O. Box 1179, Southold, New York 11971.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 146

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 $1,380.00 from the 2020 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 refresher training course on March 25, 2020 in Calverton, New York.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 147

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to sign the contract with Little House of Kitchens, 404 Front Street, Greenport, New York 11944, for the

provision of cabinetry, as per design and plans, for the two medical offices at the Town owned Medical Center located at 44 South Ferry Road, and

BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,252.49 for the required 50% deposit for said cabinetry, and the amount of $1,252.48 for the required balance due one week prior to delivery of said cabinetry, from the 2020 A4560.408 Medical Center repairs account to Little House of Kitchens.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 148

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

"Whereas", parents and guardians of children with special needs face a number of difficult challenges, including retrofitting their homes to accommodate mobility impairments, and

"Whereas", charitable corporations exist for the purpose of contributing time, money, and expertise to assist in the reconstruction of existing homes to accommodate severely disabled children, and

"Whereas", such charitable corporations would be in a better position to assist families in need if they were exempt from New York Labor Law Sections 240/241, and

"Whereas", elected officials from the towns of Huntington and Babylon, parents, advocates and the Long Island Home Builders Care, Inc. (LIHBC), the charitable arm of the Long Island Builders Institute, held a press conference on December 12, 2019, at Aliha Scoma's home, which is in need of major renovation which would allow her to move freely with her equipment and provide adequate space for therapeutic needs, and

"Whereas", the elected officials, parents, advocates, and LIHBC advocated for changes in State Law that would allow not-for-profit corporations such as LIHBC to better assist the families of special needs children, and

"Whereas", urging the State to enact legislation is not an action as defined by SEQRA 6 N.Y.C.R.R §617.2(b) and therefore, no further SEQRA review is required, now, Therefore

BE IT RESOLVED, That the Town Board hereby urges the New York State Legislature and Governor to enact legislation amending New York Labor Law Sections 240/241 to exempt charitable not-for-profit corporations that act as the agent of an owner of a one or two-family dwelling from the ambit of the provisions, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby directed to forward certified copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader John Flanagan, Assembly Speaker Carl E. Heastie, Assembly Minority Leader Brian Kolb, Senator James Gaughan, Assemblyman Andrew Raia, and Assemblyman Steve Stern.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 149

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

"Whereas", Applicant Peter Reich proposes significant construction within vegetative buffer and adjacent regulated area at 3 Charlie's Lane, Shelter Island Heights, New York, and zoned Zone C - Residential, Near Shore Overlay, designated as Suffolk County Tax Map 700-23-1-24.1 (the "Premises"); and

"Whereas", the proposed project entails demolition of the existing house, deck, walkways, outdoor shower and three oak trees with proposed new construction of a two story house with unfinished basement, new outdoor shower, and new covered back porch, new HVAC, new front porch and new walkways; and

"Whereas", there is no work proposed within the 75' vegetative buffer; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' adjacent regulated area: demolition of the patio, portion of the existing house and outdoor shower; new construction of a new covered porch (76'-0") with stairs (78'-0") larger than the footprint of the existing patio is proposed with continuation of the foundation for the basement under the porch; the new two story house with full unfinished basement is partially within the regulated area (88'-0:); and

"Whereas", 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 permit number 1-4732-00692/00006 dated September 9, 2019, expiring September 8, 2024; and

"Whereas", the SCDHS issued permit number SCHD permit R07-18-0048 for this project, and the applicant has already installed a new nitrogen reducing septic system; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on January 24, 2020; 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 as the development of the lot is being shifted approximately 16' landward of its current position; 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. The property has an existing bulkhead; and
3. This project would permit no intrusion into the vegetative buffer and minimal intrusion into the regulated area; and
4. The proposed project will not have a negative impact on the quantity and quality of groundwater; and
5. There are no practicable alternatives which allow the project to be constructed outside the regulated area due to the size of the lot and the percentage that falls within the regulated areas; and
6. 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. The above-described project shall be constructed as depicted on the site plans prepared by Pam Pospisil of Pospisil and Brown, dated November 5, 2019, and by Matthew Sherman of Sherman Engineering and Consulting, last dated October 27, 2019, and the survey by Nathan Taft Corwin III, last dated May 10, 2019; 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. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; 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. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
12. 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
13. This permit shall only be valid for construction commencing within two years of the date of this approval; and

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

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 150

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

"Whereas", The Town policy regarding paid family leave is silent with regard to the use of leave where an established holiday falls during the requested leave period; and

"Whereas", the Town Board wished to clarify this issue, now, Therefore

BE IT RESOLVED, That the following section be added to the Paid Family Leave Policy to follow the section titled "Use of Vacation/Person and Sick Time:

Holidays

A. Employees electing Weekly Leave will be compensated through the paid family leave program for each day in the allotted week notwithstanding whether a scheduled holiday falls during the week in question.

B. Employees electing Daily or Intermittent Leave may elect to receive their ordinary compensation for any holiday that falls during their leave period and shall not be considered to have used a leave day. The employee must advise the Town of the intent to utilize leave in this matter at the time leave is taken.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 151

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

"Whereas", the duties of the "Assessment Clerk" have expanded to include the routine handling of confidential information such as social security numbers and income tax returns, and

"Whereas", the Board of Assessors seeks to ensure maximum confidentiality regarding this information, 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 6th day of March, 2020, 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 CREATION OF POSITION OF CONFIDENTIAL SECRETARY TO BOARD OF ASSESSORS, to wit:

Section 1. Chapter 3 of the Town Code is hereby amended by adding a new Section 3-3 as follows:

3.3 Designation of Confidential Secretary

The Board of Assessors is hereby authorized to designate a Confidential Secretary for the Board of Assessors.

Said Confidential Secretary shall receive compensation to be fixed by the Town Board.

Section 2. This Section is adopted pursuant to the authority conferred in Article IX of the New York State Constitution; Article 2, Section 10, of the New York Municipal Home Rule Law; and Article 4 of New York Town Law.

Section 3. 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. 152

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

BE IT RESOLVED, That the following transferals of 2019 funds are hereby approved:

$280.00 from the A1110.410 Justice Court interpreter account and dispersed as follows:

$212.00 to the A1110.484 Justice Court office and miscellaneous account, and

$72.00 to the A1110.499 Justice Court stenographer account;

$41.00 from the A1220.491 Supervisor support contracts account to the A1220.484 Supervisor office and miscellaneous account;

$720.00 from the A3120.102A Police Department personal services account,

$880.00 from the A3120.111 Police Department personal services account,

$1,500.00 from the A3120.117 Police Department personal services account,

$100.00 from the A3120.131 Police Department personal services account, and

$1,758.00 from the A3150.100 Jail personal services account to the A3120.110 Police Department personal services account;

$1,500.00 from the A3120.485 Police Department car maintenance account, and

$555.00 from the A3120.486 Police Department car gas and oil account to the A3120.278 Police Department safety equipment account;

$100.00 from the A3120.476 Police Department FOIL expenses account, and
$59.00 from the A3120.490 Police Department contracts account to the A3120.484 Police Department office and miscellaneous account;
$155.00 from the A3120.486 Police Department car gas and oil account to the A3120.270 Police Department car equipment account;
$311.00 from the A4540.422 Ambulance food account, and
$1,568.00 from the A4540.428 Ambulance communications account to the A4540.200 Ambulance equipment account;
$70.00 from the A7020.484 Recreation office and miscellaneous account to the A6778.485 Senior Recreation account;
$86.00 from the A8160.113 Landfill personal services account to the A8160.423 Landfill electric account;
$944.00 from the A8160.116 Landfill personal services account to the A8160.484 Landfill office and miscellaneous account;
$2,000.00 from the A8510.200 Taylor's Island equipment account, and
$3,836.00 from the A8510.412 Taylor's Island dock repairs account to the A8510.408 Taylor's Island cabin repairs account;
$178.00 from the B8010.485 Zoning Officer car repairs account to the B8010.484 Zoning Officer office and miscellaneous account;
$1,970.00 from the DA5130.146 Highway Machinery mechanic personal services account and dispersed as follows:
$10.00 to the A5010.400 Superintendent of Highways office and miscellaneous account, and
$1,960.00 to the DA5130.246 Highway Machinery equipment account; and
$30,618.00 from the DA5142.447 Highway Snow Removal account to the DA5130.249 Highway Machinery truck purchase account; and

BE IT FURTHER RESOLVED, That the following transferal of 2020 funds is hereby approved:
$1,453.00 from the A8510.484 Taylor's Island office and miscellaneous account to the A8510.485 Taylor's Island shed account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 153

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

BE IT RESOLVED, That 2019 general claims numbered 2273 through 2297 in the amount of $53,935.93, 2019 Community Preservation Fund claim number 51 in the amount of $1,073.10, 2019 highway claims numbered 294 through 307 in the amount of $47,087.06, 2019 West Neck Water claim number 57 in the amount of $350.00, 2020 general claims numbered 69 through 175 in the amount of $55,856.56, 2020 Community Preservation Fund claims numbered 1 through 3 in the amount of $6,589.64, 2020 highway claims numbered 6 through 22 in the amount of $60,452.47, and 2020 West Neck Water claims numbered 2 through 4 in the amount of $746.13 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 4:55 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Edie Landeck, 28 Tuthill Drive, for a wetlands permit to renovate existing single family dwelling to include minor exterior expansion.

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 the Planning Board.

Councilman Bebon presented the Conservation Advisory Council report, as follows:

TO: Town Board, Town Clerk, Town Attorney, Building Permits Ex.
FROM: CAC
DATE: Feb. 11, 2020
Re: Edith Landeck 28 Tuthill Drive

Matthew Sherman, Sherman Engineering and Consulting, PA, is the representative for Edith Landeck wetlands application. The application requests renovation of an existing single-family dwelling which includes minor exterior expansion from present existing square footage of 4,284 sf to proposed 4484 sf. The existing house/deck encroaches into the Town regulated areas. The septic system present is a septic tank and leaching pool for the house and cesspool for the cottage. A new I/A OWTS permit is being applied for, but will require a SCHD variance. If the permit is not obtained, then the present system will remain. The property of 1.6 acre/Zone AA has a wood bulkhead and wood dock. All work must meet FEMA regulations.

The application proposes work in the 75 ft vegetative buffer:

Removal of 2 exterior stairs
Removal/replacement of stone walk to dock
Removal/replacement of kitchen patio
Installation of 2 new storm water drywells
Removal /replacement underground gas tank.

The application proposes work in the 25 ft regulated area:

Completion of kitchen patio, mostly in this area
Install new AC equipment
Install 2 new storm water drywells

At the Feb.10th meeting the CAC discussed/reviewed this application. The CAC voted unanimously to pass a motion accepting the application with the following suggestions.
If possible, move the AC units and drywells out of the 100ft regulated areas.
Because of the dwelling age (1929) and location, it is recommended that a "special permit" be requested from Suffolk County Health Dept for the I/A septic system.
Revegetate with Spartina p. any section landward/close to the bulkhead that is void of marine grasses.

Councilman Dickson presented the Planning Board report, as follows:

10 February 2020

Re**:** **Landeck Wetlands application**
28 Tuthill Drive Shelter Island, NY SCTM # 700-11-02-21
Zone AA Residential reverting to A Residential Within the Near Shore and Peninsular Overlay District

We are in receipt of a Wetlands Application from Edie Landeck of 28 Tuthill Drive prepared by Sherman Engineering & Consulting, P.A. dated 18 November 2019.
The applicant wishes to renovate an existing 3,832 sq. ft. home built in 1929 along with a detached garage that has an attached cottage of 452 sq. ft. all on a 1.6-acre lot.
Planning Board members visited the site on January 11, 2020.
We observed that the front of the house and garage sit almost exactly on the 100-foot wetlands line so most of the existing house and proposed activity is seaward of this line, thus into the regulated area. The existing house is 56'-10" from the wetlands line and the cottage 52'-6". These distances are stated to remain the same after completion of the renovation.
The property is low lying with a bulkhead along the western shore that is in fair shape and there is a dock that is in good shape. We saw no signs of erosion.
After inspection of the house and proposed work to be done, we feel that the bulk of these renovations should be considered necessary repairs and maintenance for a house of this vintage and location. Also, some of the upgrades are geared toward accessibility. The work includes:
-Installing new rain gutters and downspouts leading to drywells.
-Installing a new buried 1000-gallon propane tank
-Replacing rotten trim on the exterior façade with Versatex.
-Replacing all windows and doors with impact resistant glass.
-Preserve existing wooden inswing doors.
-Repair existing posts in crawlspace.
-Replace mechanicals.
-Repair existing masonry stoops at all doors.
-Level all floors flush in all rooms on first floor.
-Install wheel chair lift from first floor to second.
The applicant wishes an expansion totaling 200 sf into the regulated area; of this, approximately 60 sf for a bathroom addition that is landward of the 75' line. This expansion, however, is exactly where a pre-existing attached shed resides of the same square footage, so there is no real increase in impervious square footage. The remaining 140 sf is for a second-floor bedroom addition that is partially seaward of the 75' foot line. However, this expansion is over a pre-existing patio so

again there is no increase in impervious square footage or footprint of the property. Town Code 129-2 allows "New construction with expansion upward within footprint."
The applicants have received a permit from the DEC to install an I/A septic system with pressurized shallow drain field. (Permit # 1-4732-00775/00002). The permit also states on page 2 that the additions the applicant proposes "as a use not requiring a permit…Therefore, no permit is required". The additions can be seen on a survey prepared by Sherman Engineering and stamped by the DEC on August 8, 2019.
We believe the new septic system would be a welcome upgrade to the property considering the existing system is in the 75-foot vegetative buffer and is of unknown construction and condition. However, the applicant still needs a Suffolk County Health Department approval for this installation which would require a special variance that would take 1.5 years to get-or more. Therefore, we believe that the installation of the I/A system not be a condition of the application which would delay this necessary work.
After careful consideration the Planning Board is in favor of this application.
Respectfully,
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: good evening, Matt Sherman of Sherman Engineering, I'm here for Ms. Landeck, I really can't add a whole lot to what the CAC and the Planning Board have already said so I'll go through the project relatively quickly, tag on a couple of key points that I think I'd like the Board to pay attention to, the Board to see, the project is in essence as the Planning Board pointed out, it's basically making the existing house ADA accessible or making it more user friendly for the owners as they __ age of the property, this is the existing survey, you've got the bulkhead along this side of Coecles Harbor, Shanty Bay, this area here is the mean high water wetlands line so the bulkheading is along the western boundary, the southern boundary is vegetated wetlands, the majority of the property is at about a six foot elevation give or take, so it's very very low lying, the wetlands setbacks, this red line here is the seventy-five foot setback from the bulkhead, this line here is the hundred foot setback from the bulkhead and this line here is one hundred feet from the vegetative wetlands, I didn't put the seventy-five foot line because we're not doing anything in that area so it would just kind of muddy the waters a little bit, our zoning setback, because we're double A reverting to A, we've got a forty foot front yard setback and we've got twenty-five foot setbacks to the side yards and in this case, this what we've got on the site now, it might be too small for you guys to read, up in this area on the north part of the property, you've got a kayak rack right on the property line, the existing propane tank which straddles the property line, which is why we're putting in a, we're taking that one out and putting in a new propane tank, existing generator, this building here is the garage with the cottage, one bedroom, sleeping cottage on the east side of that garage, bulkhead, little boat ramp here; you've lost your pointer again; I've lost my pointer, if __ it zooms out, there, alright, in this area we've got an existing walkway and instead of stairs, they're asking that they come out as part of the project, this green is the existing vegetated buffer that's there, I've got some photographs that show you that so you can see what that looks like, now this mess here is a combination of what we're proposing to do and what we're proposing to put in and what we're proposing to take out, this is really the important part, right in the middle, we've got an existing septic system which is up here on the northern part, there's a proposed septic system, this is down towards the south of the house and this is the existing septic here, that's within sixty feet or so, fifty-five feet of the wetlands, so the idea of the septic component of this application is to get rid of this septic system, there's a septic pool right here, septic tank, cesspool right here in this area, get rid of both of those and put in a new IA septic tank, a pressurized shallow drain field over in this area, remember this is the hundred foot setback and this is the hundred foot setback so we're outside of those setbacks from the wetlands, so when the day is done, this is what we would like the site to look like, it's pretty much the exact same thing as what it looks like right now from a bird's eye view, a couple of stairs are coming out, we've got a new set of stairs going in here for an adjusted door, we've got this area right here, there's a covered patio that is getting a second floor addition for the second floor master bedroom and then this area right here is the addition, the conversion of the existing shed that's being turned into a first floor bathroom, you'll be able to see that a lot clearer on the next slide, this is the proposed floor plan for the first floor, we've got the front door, that remains the same, there's a little bit of a tv alcove and a walkway into the kitchen, those all remain the same, there's a little bit of a cabinetry and closets in this area that are gonna be taken out, the chair lift to the second floor is going into this area right here, the sun room stays the same, it gets new doors and windows but the

structure in and of itself stays the same, this is the set of stairs that goes down into the basement underneath, it's really a tall crawl space underneath the building, that's gonna remain the same, over here we're shifting an existing bathroom right in this area, that's being moved over to this which is that addition of the shed turned into the bathroom, this set of stairs, it's a little __ set of stairs which was previously or currently at this location right here, so that one is going out, a new one is going in, in its place just to accommodate the new flow of traffic in the first floor, this is the second floor, this area here is basically that bedroom addition, so that exterior wall is right here, that gets pushed out to the outer boundary of the existing covered porch area, the rest of the second floor remains the same, this is a photograph of the outside of the house, this railing is on top of the wall where that second floor is coming out to so basically this end wall gets pushed to right where this railing is, that's the addition to the house on that side, this is looking at it from the bulkhead side of the property so this wall boundary, move it out to this line right here so that's in essence what we are talking about, this right here is that shed portion that's gonna turn into a first floor bathroom, this is the cottage that's attached, the garage is right here, that's the cottage, this is a picture of the cottage, this is the non-turf buffer that we've got along the bulkhead and it wraps around on the other side, the same thing looking at from the other area, I believe this area here is what the CAC was talking about, looking to put some more plantings in, this is the buffer as you're looking down towards the vegetated wetlands, that's the boundary of the area with the bulkhead and that's pretty much the project in a nut shell, it's not terribly complex, it's fairly straightforward, if you've got any questions, I'd be very happy to answer any of them, there were some questions initially about open permits and some deer fencing and some things along those lines, the property owner and contractor have been working with the Building Department and I talked to Reed Karen the other day, he said all those issues have been resolved so that's all taken care of; any questions; yeah, the IA system, I know the Planning Board said not to make it a condition of this, but is the homeowner going to proceed with that; yeah, we're pursuing that, the issue that we've got with the IA and without trying to over complicate it is, here is the proposed IA leaching field, our well is right here, we've got almost the required distance we need from our own well which is good, the problem is our neighbor's well is right here, there is about seventy feet give or take, from the only place that we can put that IA system which is exceedingly close as far as the Health Department is concerned, we're going to ask them if we can get approval for that, this well unfortunately can't move further into their property because of their own septic system, so you end up getting this domino effect of you can't start moving things around too much on the property cause the problem just propagates right on down to the line, I'm hopeful that the Health Department is going to see that even though we're not perfect, we're much better if they give us the approval than we are today, I can't say that that's gonna happen and so that's our concern about making these improvements to the building contingent on an approval from the Health Department, the CAC had asked us to look into getting a special permit from the Health Department, I've never heard of one of those but I'm more than willing to look into it, I just got their comment this afternoon so I'll look into it and see what that actually is, if it is something that exists and if it does exist, is it something that we're eligible for based on the age of the property or whatever the conditions may be on that; so Matt there's no way you can adjust it, the twenty-five feet; we can slide it down a little bit but the closer we get to the wetlands, we start getting shallower, the grades starts coming down and we're getting too close to groundwater and we're trading one set of problems for another one; okay and if it's not approved, you keep the existing system or do you have to upgrade; we have no choice, it's a very definition of a catch twenty-two in that, I think that the Health Department will view this favorably, just to me, it's a no brainer but their concern as well is that protecting the drinking water around, we've had a few applications, I've got one right now down in Montclair that our board of review __ was in March, we're still waiting our results, it's a little bit of a situation but it's the same thing of reduced separation from the septic system to the supply well, the Health Department's primary __ is to keep, maintain those separations as much as they can to protect those drinking water supplies so there's a little bit of a conflict between what's best for one as opposed to what's good for the other; so in your experience Matt, are they afraid of setting precedents or have they, __; I don't think they're afraid of setting precedents cause each one of these is unique so if you say yes to one doesn't mean you have to say yes to the other but they're, I think they're very concerned about if there could possibly be a negative impact on the neighbor's supply well, that's what they're looking at, if there was some way to guarantee that groundwater flow is going to be the way that we estimate these, and we've got a good idea of the hydrogeology in these areas, we know that the groundwater flow in this area is going almost completely to the south, maybe with a spike easterly kick to it but there could be different situations where it's not solely in that direction, you could get a little dispersion in different areas and that's where the concern lies; anyone else; would you be adverse to any language like not holding up the construction or

anything but within three years subject to Health Department Board of Review proceeding with putting in an IA system and if it's turned down, obviously it would be a moot point; let me check with Ms. Landeck and see but that seems reasonable but I can't commit to that but I'll let you know before the work session; and we make sure that Bob gets the language.

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 Lawrence Scott Greenberg, 159 North Ram Island Drive, for a wetlands permit to remove existing single family dwelling, well and septic and construct new including addition with new bathroom in existing detached garage to support existing swimming pool.

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 the Planning Board.

Councilman Bebon presented the Conservation Advisory Council report, as follows:

TO: Town Board, Town Clerk, Town Attorney
FROM: CAC
DATE: Jan 14, 2020
Re: Lawrence S. Greenberg Wetlands Application, 159 North Ram Island Drive

Matthew Sherman, Sherman Engineering and Consulting, representing Lawrence Scott Greenberg, submitted a wetlands application requesting the following:

…Work proposed in the *Vegetative Buffer*: 1. Demolition of the approximately 1070 SFLA existing house, deck, misc landscaping… AND ..2. build a new 2,298 SFLA 4 bedroom/den house with walk out partially finished basement, 1 deck, 2 stormwater drywells and misc. landscaping. The new house is to be located 60 ft and the deck 47 ft from the wetlands boundary. The existing house is 47ft and deck is 38 ft from the wetlands boundary.

…Work proposed in the *adjacent regulated area:* 1. Finish the demolition of the existing house and tree removal….AND…2. Complete the majority of the new house construction/1 additional deck, install HVAC equipment, walkways and misc. landscaping.

….The existing septic system installed in 1980 will be replaced with a new larger I/A nitrogen reducing septic system

It is noted that the East/North of this property has "run off" toward the marsh. The proposed house is to be constructed on property sloped toward the marsh.

The CAC discussed this application at the Jan 13, 2020 meeting. The CAC is obligated to protect the environmentally sensitive marsh

The CAC unanimously voted to deny this application as presented.

Councilman Dickson presented the Planning Board report, as follows:

5 February 2020

Re**:** Lawrence Scott Greenberg
159 Ram Island Drive, Shelter Island NY
SCTM # 700-10-1-18.2
Zone AA Residential; within the Near Shore Peninsular Overlay

We are in receipt of the Town of Shelter Island Wetlands Permit Application prepared by Matthew Sherman dated 11/26/2020 resulting from a denial of a Building Permit absent a Town of Shelter Island Wetlands Permit.

Greenberg proposes to:

Demolish the existing 3-bedroom 1,070 sf FLA (circa 1980) house, deck, and remove selected trees and plants, located within the wetlands boundary; and

Construct a new 4-bedroom 2,298 sf FLA house with a partially finished walk out basement, 2 new decks, and new landscaping within the wetlands boundary.

Expand the existing one car garage with a new bathroom and trash area and reconstruct a larger pool patio. The existing garage, pool and patio are outside of the regulated area.

The existing and proposed structure is located on a 3-acre lot, most of which is wetlands. The existing house is in conformance with AA Zone setback requirements. Both the existing and proposed structures are within the 75' Vegetative Buffer and the 100' Adjacent Regulated Areas. The existing house and deck are located 47' and 38' from the wetland's boundary. The proposed structure and deck will be located 60' and 47' respectively from the Wetlands Boundary. We note that the proposed house (cellar) remains 47' from the Wetlands (no change from the existing), while the deck and first floor are further away from the current location.

Part of the demolition of the existing house, construction of the new structure, deck and 2 storm water drywells, along with miscellaneous landscaping, will be within the **Vegetative Buffer**.
A majority of the demolition, new house construction, new deck, HVAC equipment, walkways, tree removal and miscellaneous landscaping, will be within the **Adjacent Regulated Area.**
The balance of the new structure, new driveway, new I/A septic system, garage addition, propane tank relocation, generator and new pool patio and trellis are outside of the **Town Regulated Area.**
The NYDEC issued a Letter of No Jurisdiction - NYDEC LNJ 1-4732-00071/00005 - on December 31, 2010 for the portion of the property landward of the line labeled "Limit of NYSDEC Article 25 Tidal Wetland Jurisdiction" which is at an elevation greater than 10'-0" (NAVD '88).
Findings and Recommendations
Two designated members of the Planning Board conducted a site visit on 01/28/2020 with findings as follows:
While the proposed house will remain within the Regulated Area, the first floor and deck have been set further back from the wetlands within a very tight building envelope on this triangular lot. Further movement of the structures from the Regulated Area while maintaining required setbacks would be difficult and would require Zoning Board of Appeals relief.
The applicant's plan to replace an existing septic system with a new I/A system, to add 3 storm water drywells including stormwater collection from the gravel driveway, to keep the relocated propane tank outside the regulated area, and to maintain existing grass and vegetative buffers, are all valuable actions to mitigate the impact of the proposed construction.
While the permit application specifies that the existing pool will remain a fresh water pool, we note that the current pool has a salt cell which minimizes the need to add chlorine.
We recommend approval of the Wetland Permit Application.
By
Edward Hindin, Planning Board member
Ian McDonald, Planning Board Chairman
For the Planning Board

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: good evening, Matt Sherman with Sherman Engineering, Mr. Greenberg apologizes, he's not able to be here this evening, he had a previous commitment, I'm here representing him, I'm also here with the architect, both the building architect and the landscape architect in case the Board has questions for them on the project, again the CAC and the Planning Board have done a stellar job of describing the project and getting you all the information on it, I'll go through, tag the items that I think are important and if you have any questions, feel free to interrupt or wait til the end, whichever works, this is the property, approximately three acres out on Gardiner's Bay, there is about a third of the property is wetlands, tidal wetlands out here and then also a marsh in this area right here, this is the flagged wetlands boundary, the existing house with the upper deck and a lower patio, the existing pool is right in this area and there's a patio right around that and a small garage just off of the pool, this is Ram Island Drive, down to the south, this is the seventy-five foot and the hundred foot wetlands setback line, as you can see the seventy-five foot basically bisects the house, all of the deck and patio are seaward and about less than a half of the house is landward of that seventy-five foot line, the entire structure is within the regulated area for the Town, the pool is just outside of the regulated area for the Town, it was constructed shortly after the Town adopted the wetlands regulations, so when they put in the pool, they put it at a hundred feet out, this line here, the heavy dark line is the DEC's letter of, limit of jurisdiction, it doesn't really make a lot of sense with the current topography because this is an updated survey, when the DEC's letter of non-jurisdiction was issued back in twenty ten, the datum and the way the topography was done was done slightly different than what it is today so, that's why, it's a meandering line and it follows the contours or steeper sloped areas and then also for the elevation when that was appropriate, so this was the line that was determined by the DEC, coming along the seaward face of the deck, the patios and the building and then down along the topography on either side, as we're overlaying the existing and the proposed, this area here, this shows the existing house with the outline that goes up to the left and down below around the existing house, I wish I could do the pointer the same time, but I haven't figured that out yet, so this is the proposed house and this is the existing one underneath it, I've got a slide that will show it a little bit clearer in a second and again here is the existing garage and proposed garage around the pool; ___; no, that's good; I'll fast forward this one, it's better to see, the red is the existing house footprint, there is also a little stoop here, a window well here, a window well there, window well there, this is the walkway and the set of stairs, this is lower patio, it's a slate patio set in sand and this is the second, it's a first floor deck but it's the floor above that lower patio, this is a set of retaining walls if you will, and planter that come down along side of that patio, all of the stuff in

red is what's going away, the new footprint is going right on top of the existing one in these areas and continues around in this configuration, this area here that is existing, first floor, upper level building is going to be patio in the new plan so there won't be a house, there will be a foundation underneath it but the house won't be there and then coming along this side and landward, this is also gonna be a deck or a patio area that's got foundation underneath it and I'll show you that in just a second, so the way that we've got the plan laid out now, we've got eleven hundred and seventy square feet of deck, patio, planters, stairs, other construction, site improvements are gonna be going away, that as close as thirty feet to the wetlands, the proposed plan has, keeping that house corner right at forty-seven feet, so we're going, our closest point to the wetlands is going from thirty feet to forty-seven and then we've also got this building addition which is in the vegetative buffer of two hundred and five square feet which basically gives us the access to the front part of the property, the roadside of the property which gives us a total reduction in vegetative buffer coverage of nine hundred and sixty-five square feet, this area here is fourteen hundred and fifty-four square feet of additional building and decks in the adjacent vegetative buffer which is at seventy-five to a hundred foot setback and over here we've got, for the existing four hundred and twenty-five in that same area, four hundred and twenty-five square feet of the building is in that same adjacent vegetative buffer area, this is the existing septic system, it's on the landward side of the house, the proposed septic system, same thing, slightly further away but basically in the same general configuration with respect to the wetlands, the elevation of the house is gonna be a one story property, one story building, we're at, maximum height is twenty-five feet above the average existing grade which is what the Town Code allows, this is, if you were looking at it from the beachfront you've got a cellar walk out basement walk out here, you've got your first floor, this area here is the part that's set back where the existing house is but that's a deck or patio right now in that area, the south elevation is just to give you an idea of the scope of the building, again twenty-five foot maximum height to that one section and then tiered down and broken up in a number of different locations, this is the basement floor plan, this area here is where the existing house is, so we've got a bathroom and a couple of bedrooms down in that basement area, this is foundation underneath that walkway and underneath that landward deck and over here is the mechanical area and mechanical area, our first floor elevation again, this is that deck area over top of the foundation where there is existing house right now, it's gonna be outside in the proposed plan, master bedroom suite, they're still working on some interior changes to these walls, the closet might be changing a little here, the shower and the tub, the shower and the toilet may be swapping places but some minor changes like that are still being worked out, this is the living room area, stairs going down and then coming over here into another bedroom, kitchen and dining room in this area, one of the things that we had done after I was watching channel twenty-two and I saw, Councilman Colligan was reporting on the CAC's meeting and the concern that they had about the possible impacts that the project would have on that adjacent wetlands and we completely agreed that that's an area that needs to be protected, I felt that the plan that the landscape architect had put together of the re-vegetation, removing some invasive plants that were there, replacing those with native site appropriate plantings was a good plan but as anything else, if anything can be made better, we can go back and revisit things so I asked them to do that and what they've done is they've come out with a new plan for a revised version of the plan that we had submitted and in this area here, which is where we've got our, where we've got our vegetative buffer already, we're gonna be adding another fifteen to twenty feet of vegetative buffer so normally the Board asks for ten feet or so, we are gonna be upwards of about thirty feet of vegetative buffer in these areas so this is the existing, this is the proposed, so you're gonna have a very very substantial vegetative buffer there, the area where we've currently got the stairs and the patio and deck is this area here, they're gonna be regraded so that rather than have those old timber stairs, there's a timber bulkhead that I've got a picture of for you in a second to show you that are in, in pretty tender shape, we're gonna get those out of there, we're gonna take care of those areas with regrading and revegetation so they're good stable slopes and that will help in turn protect those wetlands that are adjacent to the building; __ the new vegetative buffer; I've got it, I give it to you a couple of seconds, this is a rendering just to kind of give you an idea of the plantings going in the driveway, that's the building off to the distance, intentionally hard to see, they've gone to great lengths to try and design something here that meets the homeowners' needs, is sensitive to the environment of the site itself and also isn't going to be intrusive on anybody who is adjacent to the property, be it a neighbor, on the road, on the beach, whatever the case may be, this is going up into the property a little bit more, you can see how it fits in with some of the natural vegetation on site and looking up at it from the, going down toward the beachfront, this is the natural slope that we've got now, right over here is where there's some of the retaining walls and cribbing and that planter that's on that one side next to the patio and deck, over here is where that deck and the stairs are gonna be taken out and that small retaining wall, this is the existing house, that area I was talking about with the

cribbing and the planter is this area right here, that's the stairs and the deck on the opposite side, this is that first floor deck and this down below is the patio again, bluestone or slate set in sand, that planter and the retaining wall going up to that side, and the stairs, this is a view from down at the beachfront of the existing house, I don't have one, I thought I had one of the proposed house, just to give you an idea of the vegetation that we've got, this is the wetlands vegetation and the buffer area so this buffer area is gonna be extended twice as far as what it is now, so it's gonna be up into this area here, this is that retaining wall, excuse me, along that side next to those stairs, it's still functioning, it is showing signs of, it's getting tired, it's starting to give up, and again that same shot looking at from the other side, this is that retaining wall going around, so this slope will be gradually increased up from right next to the building down to where these trees are, so the trees will remain at a hard bottom and the building too so basically it's gonna be smoothed out, this right here is that retaining wall, aerial photo just to kind of give you a little bit of perspective, this is the house that we're talking about, this is the wetlands boundary, there's some vegetation that was put in here several years ago which is wetlands vegetation now so it somewhat artificially brings that wetlands boundary a little bit landward, it's not where the natural wetlands boundary originally was and there is a little bit of a cushion in that area, this is the neighboring house, there's a cottage on that property which is right here and the next closest neighbor to the east is this one right over here, Health Department, we received their approval for the IA system which is a typical IA treatment unit and a leaching pool and that's the original survey and we go back, let me give you the, this is the revised plan with the new vegetation on it and on this plan you'll see that we've got the existing vegetative buffer and then here in the highlighted black __ an additional ten to fifteen foot non-turf buffer with the Latin names that I'm not gonna try to butcher, that's in this area, we've also called out some additional areas and additional information just so that it's easier to see, the __ house in the vegetative buffer and then the deck or patio, whichever you want to call it, proposed topography, it also has on the right hand side, it also has the existing site information, we basically put this together so that if the Board feels that the plan is acceptable, that the Town Attorney can write his resolution based on this plan; I have a few questions for you too; okay; anything else Matt; that's all I have, if you've got questions I'd be more than happy to answer them; Matt how long have they owned the house; about fifteen years; fifteen; yeah; and they put the pool in; yes; when did they do that; I think that pool went in at around two thousand and ten, two thousand and eleven, right in that ballpark, so about ten years ago, give or take; so they're very aware of the wetlands, having put the pool in, they're very aware of the distances because you located, the pool was located where it was accordingly; yeah they knew that the, to stay out of the hundred foot setback so they didn't need to get a wetlands permit for the pool, that's what basically put the pool where it was and also I'm glad that you brought up the pool, one of the things, it's not really important to the project but just to clarify something, when we say it's a freshwater pool or a saltwater pool, what that means is you're either using actual freshwater or you're getting saltwater out of the bay to fill the pool, a pool that has salt cell disinfection is still a freshwater pool, it's just a different way to disinfect it, it's a more environmentally friendly and user friendly way to disinfect but it's still a freshwater pool; my point with the pool, my concern with the pool is they were well aware when they put that pool in of the wetlands setback; yes; yet by putting that pool in, it kind of precluded them from moving the house possibly further back out of the wetlands, now with their proposing building a home and increasing the volume in the regulated area; yeah I take your point, the pool was put in ten years ago so whether or not they had any intention of, what their intention of doing with the property at that time, I have no idea, they very well may have put the pool in, in the location where it fit and made sense in the same way that the renovations, not the renovations, the new building going into the same footprint as the existing one and then expanding landward just as the pool went in where it made sense, the new building is going in wherein think it made sense, if the lot size was not a triangular building envelope or was slightly larger and we had room to redesign and relocate where the house was going, then by all means that might be a viable alternative but being where the pool is, being where the existing house is, the existing site construction and configuration, that's what drove the design of the house; how important is that pool to them; I would say very important; no I was just wondering, if you moved the, if the pool wasn't there anymore and you moved the house back, you're out of the, not completely out but you're moving farther away from the, out of the regulated area; if they completely did away with the pool; yeah and moved the house back, is that something that; I can't imagine that would be an option; okay, alright; in looking at that train of thought, we've had several applications in the recent past where either a slightly increase within the vegetative buffer was accepted by the Board because of adequate additional mitigation, there were some that were recommended for approval by the CAC on similar sized properties with you know, similar or even greater alternatives to the actual construction layout; the plan for the new house will not follow the

footprint that exists now but will be greater by what, two hundred square feet; no one to two hundred square feet, the existing footprint is about what a thousand square feet; I guess so; and the proposed is what, twenty-four hundred; just under twenty-three; okay so it will in essence double the footprint of the house; double the footprint, but the height will remain the same; no, the height will be higher, right now the existing building is at about fifteen feet or so to the ridge, the new building will be at about twenty-five feet, not twenty-five feet from the highest point of the grade but twenty-five feet from average grade, so you're probably raising it about seven feet; yes; about seven feet above the ridge height of the existing house; okay, what will the vegetative barrier consist of __ at this point; actually we have a man here that does know that, right; yeah, native grasses and __ virgatum, native switchgrass; __; we're talking grasses here, we're not talking trees; grasses only; thank you; is that three feet on center a little __; the swithchgrass is typically how it is planted because it gets so wide; okay, what was, when you had the pictures, the first one where it was like a wall, it looks like ivy but I know it's not ivy; it's the driveway, there's an existing privet hedge there along the street that we're preserving; okay, so really, my observation is that the CAC's concern was the vegetation, you know, the runoff and I think by addressing that with the vegetative buffer, you're pretty much addressing it.

The Supervisor declared the public hearing closed at 5:43 p. m. and called to order the public hearing to be held as advertised on the application of Richard and Rita Homan for 15 LF (3-4 boulders - maximum 2400 lb stone) return at the western end of the shoreline protection constructed in March 2019; the return is necessary to prevent the loss of sediment during high tides and storms from behind the western end of the boulders; the 15 foot return was not included in the original application due to different site conditions in 2017/2018 (i.e. presence of gradually sloped vegetated area) in this location; more erosion during the winter of 2018/2019 necessitates the 15 foot return; the proposed boulders shall be excavated approximately 1.3 feet into the beach and will be set on a geotextile fabric to prevent settling of the boulders into the sand; boulders shall be placed with a skidster that shall access the beach to the immediate east of the existing boulders; the access route shall be re-vegetated with Panicum Virgatum seed after disturbance; an existing unvegetated area shall also be planted with native Spartina patens and Ammophilia brevigulata to enhance naive habitat; place an additional 5 cubic yards of clean sand fill to cover exposed boulders installed in 2015 and subsequent plantings of native beach vegetation; construct an additional 17 linear foot of as-built boulders placed in March 2019 as part of Permit #0149.

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.

Councilman Bebon presented the Conservation Advisory Council report, as follows:

TO: Town Board, Town Clerk, Town Attorney
FROM: CAC
DATE: Jan 13, 2020
Re: Richard and Rita Homan Wetlands Application
1 and 3 Monclair Avenue

Land Use Ecological Services, representing Richard and Rita Homan, have applied for authorization to place 15 LF (3-4 boulders – mazimum2400lb stone) return to the western end of the shoreline protection constructed in March 2019. The return is necessary to prevent loss of sediment during high tides and storms from behind the western end of the boulders. The 15 ft return was not included in the original application due to different site conditions in 2017-18 (i,e,presence of gradually sloped vegetated area in this location). There was more erosion during the winter of 2018-2019 that has necessitates the 15 ft return.

The proposed boulders shall be placed approximately 1.3 ft into the beach and will be set on a geotextile fabric to prevent settling of the boulders into the sand. The boulders will be placed by a skidsteer that shall access the beach to the immediate east of the existing boulders. The access route will be re-vegetated with Panicum virgatum seed after disturbance. An existing unvegetated area will also be planted with native Spartina patens and Ammophilia brevigulata to enhance native habitat. An additional 5 cubic yards of clean sand fill with plantings of native beach vegetation will be used to cover the exposed boulders installed in 2015.

The applicant also requests authorization to add the additional 17 LF of as built boulders placed in March 2019 as part of Permit #0149. Permit #0149 authorizes the placement of 202 LF of native boulders as erosion protection. 219 LF of boulders were installed in March 2019 to place the

boulder shoreline protection in a location corresponding to the remains of the upper coir logs from past shoreline restoration efforts.
Adjust to changes in the shoreline shape due to erosion over the 2018-19 winter storms.
The CAC discussed this application at the Jan. 13th meeting. The CAC passed a motion unanimously to accept the application as presented.

Councilman Dickson presented the Planning Board report, as follows:
11 February 2020
Re: Homan Wetlands Permit Application
3 Montclair Ave
Shelter Island NY 11964
SCTM # 700-22-02-53 & 700-22-02-54
Zone A residential & Near Shore Overlay district
We are in receipt of a wetlands application from Richard and Rita Homan of 1 & 3 Montclair Avenue.
This application relates to a previous application to install 202 feet of boulders along the high tide line of the applicant's property. This permit was granted by a Town Board resolution dated November 30, 2018. However, while under construction it was realized the line of boulders had to be extended to 219' to properly control erosion relating to storms being experienced at the time. This extension of 17 feet was completed. With this new application, the applicant would like clarify the new length of stones and also ask for a return. This return would be a series of boulders beginning at the western end of this now 219' stretch of rock and proceed landward at approximately a right angle for 15'.
This construction would consist of 3-4 large boulders and 5 cu. yds. of clean sand.
The applicant has received a DEC permit (#1-4722-0094/00005) dated July 9, 2019 that amends the 219 length and approves the 15' return.
Planning Board members visited the site on January 11, 2020. We arrived around 2 hours before low tide and were pleased with the width of beach to walk below the high tide line. The stones in place seemed to be doing a good job keeping soil in place from the land and we believe would provide good protection from wave action in a storm. We believe that the 15' return would only increase this protection. It was good to see many native plantings installed with the last construction and it is encouraging to know more plantings will be added with this new application.
The Planning Board is in favor of this application.
Respectfully,
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: good evening members of the Board, my name is William Bowman of Land Use Ecological Services, agent for Rick and Rita Homan, we're located at 570 Expressway Drive South, Medford, New York, again the Board has read in a lot of the preliminary things I would say, I'm just gonna reiterate that the fifteen foot return is intended to prevent any undermining or loss of sand from the __ storm event after the boulder return is placed, it will be __ that west end and maintain the existing rocks and approximately fifteen hundred square feet of vegetation that was established by the boulders in March of two thousand nineteen, so if there are any questions; did you do the original project or did you oversee it or what; yes; the reason I ask is I see the revegetation is seed; oh that's just for an area of when we need to bring the skidsteer in to put in the new boulders, there will be some path that is created and will be reseeded, there are some other coir logs __ as proposed, but just to kind of get that pathway ___; my concern is I don't know if the seed is gonna take, usually plugs are _; __ condition that any disturbance in the area will be replanted ___; anybody have any other questions; just a question about the geotextile, there was a concern expressed with the CAC __, what's the life expectancy of the geotextile; will they hold; they are placed under the boulders __ it depends on the strength, I can get that for you ___; if you do have some lifetime specs, that would be good; there was a concern about the geotextile deteriorating and plastic ending up in the marine __; ___ you might end up having a little bit of exposed geotextile ___; right; but if it breaks away, it's probably gonna be ___ try to find __.

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

On motion of Supervisor Siller and seconded by Councilwoman Brach-Williams, the meeting was adjourned at 5:50 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

March 6, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 6th day of March, 2020. 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.

Correspondence included the following:

1. An e-mail from Karen A. Hoeg of Twomey, Latham, Shea, Kelley, Dubin & Quartararo, LLP requesting the Town Board to not schedule any continued discussion on the Congdon's Point wetlands application until they request same.
2. An e-mail from Marc Wein in favor of granting approval for the Scott Greenberg wetlands application.
3. An e-mail from Sherman Engineering concerning the Greenberg wetlands application.
4. An e-mail from Bethany Notley dated March 2, 2020, resigning from the Recreation Commission.

RESOLUTION NO. 154

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

"Whereas", Anthony Costa, 16 Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latituide 41.0601402° north and 72.354389° west, approximately 250 feet west northwest of applicant's shoreline and approximately 100 feet southwest of existing Segal W-3100 mooring, 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 27th day of March, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 155

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

"Whereas", C. K. Thomas and Audrey Myers, 2 Bay Avenue, have petitioned the Town of Shelter Island for permission to remove 178 feet of existing bulkhead, construct 178 feet of new bulkhead in-place with a 4 foot return at north end, fill any void areas with clean fill and regrade area, 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 27th day of March, 2020,

in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 156

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

"Whereas", Alice B. Klaris, 18 Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay, approximately 130 feet northwest off applicant's property and approximately 130 feet southwest of proposed site of Costa riparian 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 27th day of March, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 157

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

"Whereas", Philip O'Connell, 20A South Cartwright Road, has petitioned the Town of Shelter Island for permission to relocate a mooring situate at latitude 41.07477° north and longitude 72.31588° west in Coecles Harbor at a location at the end of Burns Road to a new location designated as latitude 41.074783° north and longitude 72.315672° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:46 p. m., prevailing time, on the 27th day of March, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 158

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

"Whereas", the term of Robert J. DeStefano, Jr., as a member of the Contractors License Review Board, will expire on March 11, 2020, and

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

BE IT RESOLVED, That Robert J. DeStefano, Jr. is hereby reappointed to serve as a member of the Contractors License Review Board for a term to expire on March 11, 2023.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 159

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement check from Judith Lechmanski in the amount of $1,718.98 and the funds received from New York State in the amount of $1,017.08 for 2019 Assessor training to the A2701 refund from prior years revenue account, and the check returned from Trius, Inc. for an overpayment in the amount of $1,333.62 to the 2019 DA5130.446 Highway Machinery contractual account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 160

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

"Whereas", the Suffolk Bicycle Riders Association, Inc. has requested an outdoor assembly permit for their annual event "Bike-Boat-Bike" scheduled for June 7, 2020, and

"Whereas", the Association has provided the required application and compliance fees and certificate of insurance, and

"Whereas", said application has been submitted to the Shelter Island Highway Department and Shelter Island Police Department for their recommendations, and

"Whereas", the Shelter Island Police Department has approved the application as submitted and stated that the need for additional fees for police services will not be required as they will use scheduled staff to cover the event, and it was also noted that the water stop is on the Town property at the corner of Cartwright Road and Burns Road, and this location was used in the past and seems to work well for this event, and

"Whereas", the Shelter Island Highway Department has responded favorably with the following recommendations:

1. if the roads are to be marked, they must be marked with chalk or washable paint, and
2. if roads need to be closed, the Highway Superintendent must be notified no later than 48 hours before the event, now, Therefore

BE IT RESOLVED, That said request is hereby approved subject to the requirement that permission is hereby granted to utilize the property at the corner of Burns Road and North Cartwright Road to stage their refreshment station.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 161

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 $456.27 from the 2020 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, 2020 through February 27, 2021 for the copy machine in Justice Court.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 162

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

“Whereas”, Abby and Frederick Dress have donated the following to the Office for Senior Services at 44 South Ferry Road:

One Medline standard wheelchair Excel K2B with two Swingaway leg rests,
Two new elevating leg rests, and
One portable bathing chair, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island does hereby thank Mr. and Mrs. Dress for their most generous donations to our Senior Services.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 163

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 164

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

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to advertise for sealed bids for the purchase of approximately 50 to 100 tons of feed corn for the year 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 165

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

"Whereas", Conquest Sunshine Holdings LLC 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 Sunshine 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 $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 a conditional rebate of up to $15,000.00 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: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 166

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

"Whereas", Darshan Somashker 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 39 South Midway 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 $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 a conditional rebate of up to $15,000.00 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: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 167

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

BE IT RESOLVED, That Brian Sherman, Commissioner of Public Works, is hereby authorized and directed to apply for a fifty percent grant amount of $15,774.50 of a total project cost of $31,549.00 N. Y. DEC 50% reimbursable grant for costs of municipal Household Hazardous Waste State Assistance Program I.D.#DEC01-HHW-2020 for the year 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 168

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 amendment to the Paid Family Leave Policy which was adopted to become effective on October 1, 2019; said amendment is to allow union employees to be included.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 169

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

"Whereas", applicant Edith Landeck proposes significant construction within vegetative buffer and adjacent regulated area at 28 Tuthill Drive, Shelter Island New York, Zone AA - Revert to A Residential - Near Shore and Peninsular Overlay, designated as Suffolk County Tax Map 0700/11/02/21 (the "Premises"); and

"Whereas", the proposed project entails new additions, miscellaneous exterior repairs, renovations, and proposed work, replacement of the septic systems, and miscellaneous interior renovations at the above address; the existing three bedroom main dwelling, circa 1929, is approximately 3,832 SFLA; the existing cottage, circa 1984, is approximately 452 SFLA which is attached to an existing garage; the percentage of proposed work consists of 20.5% as figured by Suter and Suter Architects; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer:

Main House:

a. removal of 2 exterior stairs, removal of stone walk to dock;
b. new stone walkway;
c. removal of the existing septic system;
d. removal and replacement of existing patio by kitchen partially in this area;
e. removal of existing wood porch with replacement in stone including foundation work for second floor addition above partially in this area, approximately 138 square feet;
f. 2 new storm water drywells;

Guest cottage:

a. removal of existing septic system;
b. removal of existing underground propane tank;
c. miscellaneous repairs of exterior rotten wood trim; and

"Whereas"**,** the proposed construction includes the following additional work at least partially within the 100' Adjacent Regulated Area:

Main House:

a. removal of shed to be replaced with a new approximate 62 square foot addition including associated foundation work;
b. removal and replacement of existing patio by kitchen mostly in this area;
c. new second floor master bedroom addition;
d. removal of existing wood porch with replacement in stone including foundation work for second floor addition above partially in this area;
e. new air conditioning equipment (2);
f. 2 new stormwater drywells; 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", A New York State Department of Environmental Conservation permit has been issued (#1-4732-00775/00002) dated 8/8/2019 expires 8/7/2024; and

"Whereas", the applicant will install a new nitrogen reducing septic system subject to Suffolk County Department of Health Services approval within the next two years; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on February 14, 2020, 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 as the development of the lot is being shifted approximately 16' landward of its current position; 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 decrease intrusion into the vegetative buffer and the adjacent regulated area; 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 due to the size of the lot and the percentage that falls within the regulated areas; and

5. 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. The above-described project shall be constructed as depicted on the site plans prepared by Matthew Sherman of Sherman Engineering and Consulting, last updated December 5, 2019; 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. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; 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. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
12. Applicant shall install a new nitrogen reducing septic system if Suffolk County Department of Health Services approval is obtained within the next two years; and
13. Applicant shall revegetate with Spartina patens, any section landward/close to the bulkhead that is void of marine grasses; 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 minimum limits of $500,000; and
15. This permit shall only be valid for construction commencing within two years of the date of this approval; and

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 170

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

"Whereas", applicant Lawrence Greenberg proposes significant construction within vegetative buffer and adjacent regulated area at 159 Ram Island Drive, Shelter Island, New York and zoned Zone AA - Residential, designated as Suffolk County Tax Map 700-10-1-18.2 (the "Premises"); and

"Whereas", the proposed project entails the demolition of the existing house, deck, driveway, and miscellaneous tree & plant removal with proposed new construction of a house with partially finished walk out basement, two new decks, driveway, and new landscaping; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer includes: demolition of the existing house and deck, miscellaneous landscaping, new construction of the main house, one deck, two stormwater drywells and miscellaneous landscaping; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' Adjacent Regulated Area: balance of demolition of the existing house, and miscellaneous tree removal, the majority of the new house construction, one additional deck, HVAC equipment, walkways and miscellaneous landscaping; 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 issued a letter of non-jurisdiction number 1-4732-00071/00005 dated December 31, 2010; and

"Whereas", the applicant will install a new nitrogen reducing septic system subject to Suffolk County Department of Health Services approval;

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on February 14, 2020, and

"Whereas", this Board now wishes to render a decision on this wetlands 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 development of the lot is being shifted approximately 16' land- ward of its current position; 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 further finds that the concerns expressed have been addressed by the applicant in that:

a. Removes 965sf of coverage from the vegetative buffer;

b. Improves vegetative buffer with additional adjacent area plantings for a total buffer of between 20' and 30'+/-;

c. Removes invasive plants within regulated area and replace with native, appropriate plantings;

d. Replaces conventional septic with an IAOWTS.

e. Replaces the existing (circa 1980) older dwelling with energy efficient, passive design dwelling.

f. Allows for stormwater collection for all hardscape areas and recharged to groundwater;

g. New dwelling is less than 3,000sf with 4 bedrooms, bucking the trend of larger houses;

h. New dwelling is one story, limiting visual impact on nearby properties and from surrounding area;

i. Site coverage is 4% (6% if you exclude wetlands area), substantially less that the 25% allowed;

j. Construction plan will call for stabilized construction entrance, limiting the impacts on Ram Island Drive, a concrete washout facility, maintained erosion control and other good housekeeping practices employed to minimize possible negative or harmful impacts of construction on neighboring public and private property as well as the wetlands;

2. The property is outside of DEC jurisdiction due to elevation;

3. This project would permit decrease intrusion into the vegetative buffer and the adjacent regulated area; and

4. The proposed project will not have a negative impact on the quantity and quality of groundwater; and

5. There are no practicable alternatives which allow the project to be constructed outside the regulated area due to the size of the lot and the percentage that falls within the regulated areas; and

6. 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. The above-described project shall be constructed as depicted on the on the site plans prepared by Matthew Sherman or Sherman Engineering and Consulting last updated November 26, 2019, and

2. Construction procedures and erosion controls including the anchored installation and maintenance of wire backed silt fences with hay bales where necessary 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. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; 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. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
12. Applicant shall install a new nitrogen reducing septic system; and
13. Applicant shall install Bio-Logs on all graded slopes pending establishment of revegetated areas; 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 minimum limits of $500,000; and
15. This permit shall only be valid for construction commencing within two years of the date of this approval; and

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

Vote: 4 in favor 1 opposed (Councilman Dickson voted nay)

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 171

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

"Whereas", Richard and Rita Homan have applied to the Shelter Island Town Board for an amendment to a wetlands permit granted pursuant to Resolution 547 of 1998 for which granted authority for the installation of 202' of boulders and geotextile fabric for erosion control within the regulated area at 1 and 3 Montclair Avenue, Shelter Island, New York, which is Zone A Residential/Near Shore and Peninsular Overlay District on the Shelter Island Zoning Map, and specifically described on the Suffolk County Tax Map as 0700/22/02/53 and 54, and

"Whereas", the applicant now proposes adding an additional 17 feet of new materials plus the additional 15 feet return.

"Whereas", all of the proposed construction falls at least partially within the 75' vegetative buffer; and

"Whereas," New York State Department of Environmental Conservation permit 1-4732-00941/00005 modified July 9, 2019 (adding the additional footage) has been issued for this project; 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", this Board considered the proposed action at a public hearing, pursuant to notice, on February 14, 2020; and

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

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

BE IT FURTHER RESOLVED, That this Board 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 of the proposed plan by the Planning Board, Conservation Advisory Council and Town Board and the negative declaration; 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 permit intrusion into the vegetative buffer of 202 linear feet; 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

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. The above-described project shall be constructed as depicted on the site plan/survey prepared by Land Use Ecological Services, Inc.as last updated on May 28, 2019; and

2. The Town Board notes that there is a Town landing adjacent to the subject property which has grown as sand has filled it further out, disclaims any endorsement of the accuracy of any survey of the property and specifically disclaims any endorsement of any claim by the applicant to ownership of the accreted land based upon the granting of this permit; and
3. Any disturbed area is to be revegetated with live plant plugs; and
4. Prior to issuance of Certificate of Occupancy, applicant shall implement all mitigation measures required by prior permits; and
5. The presence of all mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter and must be complete prior to the Building Department performing the final walkthrough inspection and before a Certificate of Occupancy can be issued; and
6. Prior to issuance of a wetlands permit, the applicant must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as an additional insured under a comprehensive general liability policy with minimum limits of $500,000; and
7. The permit shall be valid for a period of two years from date of issuance. The work covered by the permit must be substantially started within two years of issuance, or the permit is void; and

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 172

Councilman Dickson offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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 2019 from the 2018 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.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 173

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

BE IT RESOLVED, That the following funds are hereby encumbered from 2019 to be expended in 2020 with 2019 funds, to wit:

$20,860.00 from the A1490.409 Public Works parks and beaches account for the septic system at Wades Beach;

$10,000.00 from the A1490.409 Public Works parks and beaches account for ADA bathrooms at Wades Beach;

$166,906.00 from the A1490.413 Public Works jetties and bulkheads account for new bulkheading at the Grace's Lane Town Landing;

$2,000.00 from the A1490.414 Public Works Town Hall & other buildings account for Building Department cabinets;

$29,000.00 from the A1490.414 Public Works Town Hall & other buildings account for highway building garage doors;

$11,975.75 from the A1490.424 Public Works fuel depot account for updated software;

$118,650.00 from the A1490.498 Public Works Crescent Beach bathroom account for the Crescent Beach comfort station;

$1,921.00 from the A1620.276 Buildings computer equipment account for a laptop and a 2-optiplex 3070;

$2,413.47 from the A3510.200 Animal Control equipment account for lights for the ACO vehicle;

$42,621.00 from the A8160.201 Landfill recycling center roof account for the recycling center roof;

$10,000.00 from the B8030.487 Water Advisory Committee water quality testing account for water quality well monitoring;

$14,000.00 from the DA5130.246 Highway Machinery equipment account for a new bailer;

$71,300.00 from the DA5130.246 Highway Machinery equipment account for miscellaneous highway equipment;

$114,165.00 from the DB5110.445 Highway Repair & Improvements account for road paving; and

$2,668.33 from the DB5110.479 Highway Repair & Improvements surveys account for a cad printer.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 174

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

BE IT RESOLVED, That the following transferals of 2019 funds are hereby approved:
$45.77 from the A1110.103 Justice Court clerk overtime personal services account,
$2,257.85 from the A1110.106 Justice Court clerk personal services account,
$944.38 from the A1110.107 Justice Court clerk vacation sellback account,
$300.00 from the A1220.107 Supervisory discretionary overtime personal services account,
$250.00 from the A1220.100 Supervisory confidential secretary longevity account,
$842.28 from the A1330.102 Receiver of Taxes clerk personal services account,
$807.74 from the A1335.104 Assessors clerk personal services account,
$15.83 from the A1356.100 Assessment Board of Review personal services account,
$55.68 from the A1356.103 Assessment Board of Review personal services account,
$55.68 from the A1356.104 Assessment Board of Review personal services account,
$1,361.86 from the A1356.105 Assessment Board of Review secretary personal services account,
$20,346.19 from the A1410.105 Deputy Town Clerk #2 personal services account,
$3,500.00 from the A1410.107 Deputy Town Clerk #2 overtime personal services account,
$905.19 from the A1410.108 Deputy Town Clerk #2 stipend account,
$4,804.75 from the A1420.102 Town Attorney legal aide personal services account,
$21,579.78 from the A3120.102 Police Department new police officer personal services account,
$3,337.50 from the A3120.112 Police Department night differential personal services account,
$2,500.00 from the A3120.115 Police Department seasonal police personal services account,
$1,680.00 from the A3120.125 Police Department bay constable personal services account,
$551.72 from the A3150.100 Jail Attendants personal services account,
$2,576.92 from the A4540.102 EMS Director personal services account,
$403.83 from the A5989.100 Ferry Study Group clerk personal services account,
$1,783.63 from the A6776.141 Silver Circle van driver personal services account,
$849.72 from the A6776.143 Silver Circle cook personal services account,
$2,058.89 from the A6777.142 Senior Center clerk personal services account,
$4,182.00 from the A6777.147 Senior Center assistant personal services account,
$2,676.83 from the A7020.102 Recreation aides personal services account,
$4,830.64 from the A7020.105 Recreation FIT aides personal services account,
$2,689.74 from the A7320.101 Youth Center aides personal services account,
$2,550.20 from the A8160.103 Landfill seasonal personal services account,
$931.69 from the A8160.118 Landfill personal services account,
$1,355.00 from the A8160.119 Landfill part time personal services account,
$1,278.17 from the A8711.100 Piping Plover personal services account,
$14,247.07 from the A9040.800 Workers Compensation account,
$2,964.67 from the A9060.801 Health Insurance stipends account, and dispersed as follows:
$310.80 to the A1010.100 Town Board councilman personal services account,
$7514.11 to the A1110.105 Justice Court clerk personal services account,
$694.78 to the A1220.100 Supervisor personal services account,
$1,839.20 to the A1220.101 Supervisor personal services account,
$200.00 to the A1220.105 Supervisor longevity account,
$62.62 to the A1356.101 Assessment Board of Review personal services account,
$62.62 to the A1356.102 Assessment Board of Review personal services account,
$4,884.40 to the A1410.102 Deputy Town Clerk #1 overtime personal services account,
$14,778.28 to the A1410.109 Deputy Town Clerk #2 personal services account,
$2.21 to the A1490.100 Commissioner of Public Works personal services account,

$2,017.89 to the A1490.112 Public Works longevity account,
$20,578.27 to the A3120.102A Police Department police officer personal services account,
$1,952.18 to the A3120.109 Police Department longevity account,
$3,491.53 to the A3120.113 Police Department part time police personal services account,
$625.88 to the A3120.117 Police Department school crossing guard personal services account,
$252.81 to the A3120.119 Police Department drug training personal services account,
$2,500.00 to the A3120.120 Police Department traffic control officers personal services account,
$1,185.15 to the A3120.123 Police Department accrued sick time account,
$3,669.61 to the A3120.126 Police Department retro pay personal services account,
$1,628.53 to the A3120.132 Police Department clerk longevity account,
$2,085.00 to the A3510.101 Animal Control part time personal services account,
$1,713.04 to the A4540.100 EMS secretary personal services account,
$904.83 to the A6776.140 Silver Circle therapeutic aide personal services account,
$3,174.36 to the A6776.144 Silver Circle aide personal services account,
$1,852.16 to the A6776.146 Silver Circle aide personal services account,
$7,800.21 to the A6777.144 Senior Center clerk personal services account,
$4.51 to the A6777.145 Senior Center AAA driver personal services account,
$44.29 to the A8140.100 Community Housing Board clerk personal services account,
$440.22 to the A8140.101 Community Housing Board personal services account,
$324.40 to the A8160.127 Landfill overtime personal services account,
$6,632.64 to the A8160.199 Landfill deferred compensation account,
$930.32 to the A8510.100 Taylor's Island clerk personal services account,
$1,258.00 to the A9025.800 LOSAP account,
$6,435.25 to the A9030.800 Social Security account,
$5,298.80 to the A9055.800 Disability account, and
$4,372.30 to the A9089.800 Medicare Reimbursements account;
$92.00 from the A1420.492 Town Attorney training, conferences, travel account to the A1420.484 Town Attorney office and miscellaneous account;
$673.00 from the A1490.115 Public Works personal services account and dispersed as follows:
$433.00 to the A8160.423 Landfill electric account, and
$240.00 to the A8160.484 Landfill office and miscellaneous account;
$5,799.00 from the A1490.200 Public Works equipment account,
$772.00 from the A1490.271 Public Works boat equipment account,
$19,796.00 from the A1490.409 Public Works parks and beaches account,
$16,950.00 from the A1490.410 Public Works ground maintenance account,
$6,100.00 from the A1490.411 Public Works buoys and lifelines account,
$1,300.00 from the A1490.412 Public Works Town dock maintenance account,
$12,300.00 from the A1490.414 Public Works Town Hall and other buildings account,
$2,000.00 from the A1490.415 Public Works trees account,
$9,200.00 from the A1490.417 Public Works Town landings account,
$1,250.00 from the A1490.419 Public Works generator maintenance account,
$3,100.00 from the A1490.421 Public Works Congdon's Creek dock account,
$2,550.00 from the A1490.425 Public Works non highway tree maintenance account,
$1,130.00 from the A1490.479 Public Works boat maintenance account,
$1,000.00 from the A1490.484 Public Works office and miscellaneous account,
$3,800.00 from the A1490.497 Public Works professional services account,
$679.00 from the A1490.499 Public Works Bridge Street restroom account, and
$14,800.00 from the A1490.106 Public Works custodians personal services account to the A1490.413 Public Works jetties and bulkheads account;
$20,000.00 from the A1490.410 Public Works grounds maintenance account,
$48,200.00 from the A1490.414 Public Works Town Hall & other buildings account, and
$1,800.00 from the A1490.414A Public Works 40 North Ferry Road maintenance account to the A1490.498 Public Works Crescent Beach bathrooms account;
$29,000.00 from the A1490.414A Public Works 40 North Ferry Road maintenance account to the A1490.414 Public Works Town Hall & other buildings account;
$64.00 from the A1490.420 Public Works signs and signals account and dispersed as follows:
$18.00 to the A1490.409 Public Works parks and beaches account, and
$46.00 to the A1490.421 Public Works Congdon's Creek dock account;
$1,625.00 from the A1620.424 Buildings fuel account and dispersed as follows:
$1,624.00 to the A1620.423 Buildings electricity account, and
$1.00 to the A1620.476 Buildings computer services account;

$1,152.00 from the A1620.483 Unallocated Insurance account to the A1620.476 Buildings computer services account;
$227.00 from the A4540.408 Ambulance building maintenance account to the A4540.200 Ambulance equipment account;
$384.00 from the A4540.486 Ambulance vehicle fuel account to the A4540.484 Ambulance office and miscellaneous account;
$32.00 from the A4560.424 Medical Center fuel account to the A4560.423 Medical Center electricity account;
$630.00 from the A5010.200 Superintendent of Highways equipment account,
$2,800.00 from the A5010.440 Superintendent of Highways training account,
$14,300.00 from the DA5130.441 Highway machinery fuel account,
$2,900.00 from the DA5140.447 Highway Brush & Weeds outside contractors account,
$1,500.00 from the DA5140.488 Highway Machinery high visibility clothing account,
$5,000.00 from the DA5140.489 Highway Brush & Weeds equipment rental account,
$29,000.00 from the DA5140.146 Highway Brush & Weeds personal services account,
$11,770.00 from the DA5142.147 Highway Snow Removal personal services account, and
$3,400.00 from the DA5142.447 Highway Snow Removal sand/salt account to the DA5130.246 Highway Machinery equipment account;
$42.00 from the A6776.422 Silver Circle food account to the A6776.445 Silver Circle utilities account;
$42.00 from the A7020.484 Recreation office and miscellaneous account to the A7020.462 Recreation FIT account;
$175.00 from the A7310.400 Youth Recreation account to the A7620.400 Adult Recreation account;
$14,000.00 from the A8160.200 Landfill equipment account to the DA5130.246 Highway Machinery equipment account;
$12,000.00 from the A8160.408 Landfill maintenance account,
$2,450.00 from the A8160.433 Landfill solid waste carting fees account, and
$2,900.00 from the A8160.438 Landfill processed concrete account to the A8160.201 Landfil recycling center roof account;
$682.72 from the A8389.100 Water Quality Improvement clerk personal services account to the A8389.101 Water Quality Improvement personal services account;
$516.00 from the A8510.485 Taylor's Island generator and bunk house account and dispersed as follows:
$350.00 to the A8510.408 Taylor's Island cabin repairs account, and
$166.00 to the A8510.484 Taylor's Island office and miscellaneous account;
$4,490.00 from the B8030.486 Water Advisory Committee salt water intrusion account to the B8030.485 Water Advisory Committee water level monitoring account;
$1,151.83 from the B3610.100 CLRB clerk personal services account,
$500.00 from the B3622.100 Fire Marshall personal services account,
$501.33 from the B8020.100 Planning Board chairman personal services account,
$2,777.68 from the B8020.101 Planning Board personal services account,
$1,590.10 from the B8020.102 Planning Board clerk personal services account,
$122.94 from the B8030.100 Water Advisory Committee clerk personal services account,
$6,449.65 from the B8664.100 Ordinance Enforcement Officer personal services account,
$1,085.89 from the B8710.100 CAC clerk personal services account,
$1,700.00 from the B9010.800 State Retirement account,
$1,885.64 from the B9040.800 Workers Compensation account, and
$928.68 from the B1990.400 Part Town Contingent account and dispersed as follows:
$1,555.19 to the B3620.105 Building Inspector clerk longevity account,
$1,139.97 to the B3620.109 Building Department overtime personal services account,
$895.62 to the B3621.101 Building Permits Examiner overtime personal services account,
$1,555.19 to the B8010.105 Zoning Officer clerk longevity account,
$1,139.91 to the B8010.109 Zoning Officer overtime personal services account,
$917.05 to the B8012.102 ZBA clerk personal services account,
$3,495.21 to the B9030.800 Social Security account,
$732.14 to the B9055.800 Paid Family Leave account, and
$7,263.46 to the B9060.800 health insurance account;
$94.00 from the DB5110.479 Highway Repair & Improvements surveys account,
$4,536.00 from the DB5110.480 Highway Repair & Improvements MS4 account, and
$9,400.00 from the DB5110.482 Highway Repair & Improvements MS4 maintenance account to the DB5110.445 Highway Repair & Improvements contractual account;

$10,511.30 from the DA5140.148 Highway Brush & Weeds vacation sellback account and dispersed as follows:
$7,287.41 to the DA5130.150 Highway Machinery mechanics deferred compensation account,
$69.37 to the DA9060.846 Highway Machinery health insurance account, and
$3,154.52 to the DA9060.847 Highway Snow Removal health insurance account;
$1,113.11 from the DB5110.146 Highway Repair & Improvements personal services account,
$2,786.61 from the DB5110.147 Highway Repair & Improvements personal services account,
$993.67 from the DB5110.148 Highway Repair & Improvements personal services account,
$650.00 from the DB9010.845 Highway Retirement account,
$209.52 from the DB9040.845 Highway Workers Compensation account, and
$2,562.97 from the DB9060.801 Highway health insurance stipend account and dispersed as follows:
$128.27 to the DB1980.400 Highway MTA payroll tax account,
$2,217.64 to the DB5110.149 Highway Repair & Improvements personal services account,
$245.10 to the DB5110.159 Highway Repair & Improvements overtime personal services account,
$278.64 to the DB5110.160 Highway Repair & Improvements double overtime personal services account,
$2,782.68 to the DB5110.162 Highway Repair & Improvements deferred compensation account,
$2,610.59 to the DB9055.845 Highway Social Security account, and
$52.96 to the DB9060.845 Highway health insurance account; and
$46.50 from the FX8320.443 West Neck Water chemicals account, and
$3,485.00 from the FX8320.444 West Neck Water testing account to the FX8320.497 West Neck Water professional services account; and

BE IT FURTHER RESOLVED, That the following 2019 budget modifications are hereby approved:
$2,214.82 from the WQI fund balance to the A8389.101 Water Quality Improvements personal services; and
$184.31from the Community Preservation Fund balance to the A8709.158 Community Preservation Fund clerk personal services account; and

BE IT FURTHER RESOLVED, That the following transferals of 2020 funds are hereby approved:
$18,500.00 from the A1490.414 Public Works Town Hall & other buildings account and dispersed as follows:
$500.00 to the A4560.200 Medical Center equipment account, and
$18,000.00 to the A4560.408 Medical Center maintenance account;
$269,706.74 from the A5010.100 Superintendent of Highways personal services account to the DA5140.100 Highway Brush & Weeds personal services account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 175

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

BE IT RESOLVED, That 2019 general claims numbered 2298 through 2312 in the amount of $51,101.58, 2019 highway claims numbered 308 through 310 in the amount of $9,075.96, 2019 West Neck Water claim number 58 in the amount of $3,616.50, 2020 general claims numbered 176 through 316 in the amount of $84,148.64, 2020 Community Preservation Fund claims numbered 4 through 6 in the amount of $7,384.90, 2020 highway claims numbered 23 through 39 in the amount of $5,880.33, and 2020 West Neck Water claims numbered 5 through 6 in the amount of $2,702.04 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:02 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed Local Law entitled Creation of position of Confidential Secretary to Assessors.

The Town Attorney explained that this hearing will not be held due to the decision of Civil Service that the Town is not allowed to create said position.

The Supervisor declared the public hearing closed at 5:02 p. m. and reconvened the regular Town Board meeting.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:05 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

March 27, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 27th day of March, 2020 on Zoom. Town Board members present on Zoom were Supervisor Gerard F. Siller, and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr. and Town Clerk Dorothy S. Ogar and two persons were also present on Zoom. Three additional persons were physically present in the meeting room.

The Supervisor called the meeting to order at 4:34 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from Giovanna Ketcham stating her interest in being on the Recreation Commission.

The Supervisor reported on the State of Emergency which was declared concerning the Coronavirus. (A copy of the documents are attached to these minutes.)

RESOLUTION NO. 176

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

"Whereas", Sylvain Pascaud, 10 Terry Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay, at a location designated as 41.36804° north and 72.216870° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:42 p. m., prevailing time, on the 17th day of April, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 177

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 $750.00 from the 2020 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 April 1, 2020 through June 30, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 178

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

BE IT RESOLVED, That the Superintendent of Highways is hereby authorized and directed to advertise for sealed bids for the purchase of one new track loader.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 179

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 $2,860.00 from the Police Department 2020 A3120.400 maintenance account to the Island Boatyard and Marina for the 2020 seasonal dockage for the Police boat.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 180

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

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island Historical Society has requested permission as per application dated January 29, 2020, to hold an Antique and Classic Car Show event on Saturday, June 27, 2020, with a rain date of June 28, 2020, and

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

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

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

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 181

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute a license agreement between the Town of Shelter Island and the Shelter Island Historical Society concerning the parking for Historical Society events for the year 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 182

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

"Whereas", Stuart Coleman and Meryl Rosofsky, 31B Dickerson Drive, have petitioned the Town of Shelter Island for a wetlands permit for approval of existing shed constructed 75 feet from wetlands boundary and 11.3 feet from front yard setback and 6.9 feet from side yard setback; approval for the shed has been issued by the Zoning Board of Appeals on September 25, 2019, 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 17th day of April, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 183

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

BE IT RESOLVED, That the following transferals of 2020 funds are hereby approved:

$322.00 from the A1010.484 Town Board office and miscellaneous account to the A1010.496 Town Board Association of Towns account; and

$25,150.00 from the A3510.422 Animal Control corn account to the A3510.498 Animal Control deer reduction management account.

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

RESOLUTION NO. 184

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

BE IT RESOLVED, That 2020 general claims numbered 317 through 439 in the amount of $107,100.07, 2020 Community Preservation Fund claims numbered 7 through 9 in the amount of $1,837.50, 2020 highway claims numbered 40 through 55 in the amount of $8,197.36, and 2020 West Neck Water claims numbered 7 through 8 in the amount of $2,372.66 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

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

At 4:43 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Anthony Costa, 16 Westmoreland Drive, for permission to install a mooring in West Neck Bay at a location designated as latitude 41.0601402° north and 72.354389° west, approximately 250 feet west northwest of applicant's shoreline and approximately 100 feet southwest of existing Segal W-3100 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: five members were present, one was not on screen, so that vote was not counted, it was approved by a vote of four to zero, we have new coordinates, approved.

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 4:47 p. m. and called to order the public hearing to be held as advertised on the application of C. K. Thomas and Audrey Myers, 2 Bay Avenue, for permission to remove 178 feet of existing bulkhead, construct 178 feet of new bulkhead in-place with a 4 foot return at north end, fill any void areas with clean fill and regrade area.

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: originally it was for a bulkhead and dock, we are acting on the bulkhead and approved it four to zero on the bulkhead only, the chairman of the committee commented to them and let them know we will be acting on the dock at a later date, bulkhead approved.

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 4:50 p. m. and called to order the public hearing to be held as advertised on the application of Alice B. Klaris, 18 Westmoreland Drive, for permission to install a mooring in West Neck Bay, approximately 130 feet northwest off applicant's property and approximately 130 feet southwest of proposed site of Costa riparian 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: by a vote of four to zero it was approved, no problems.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:51 p. m. and called to order the public hearing to be held as advertised on the application of Philip O'Connell, 20A South Cartwright Road, for permission to relocate a mooring situate at latitude 41.07477° north and longitude 72.31588° west in Coecles Harbor at a location at the end of Burns Road to a new location designated as latitude 41.074783° north and longitude 72.315672° 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: approved four to zero, somebody in the audience said area is crowded, Bert Waife, committee didn't see a problem so it was approved four to zero.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:52 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 185

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

"Whereas", Anthony Costa, 16 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 41.0601402° north and 72.354389° west, approximately 250 feet west northwest of applicant's shoreline and approximately 100 feet southwest of existing Segal W-3100 mooring, and

"Whereas", a public hearing was duly held on the 27th day of March, 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 installation of a mooring in West Neck Bay at a location designated as latitude 41.061352° north and 72.359516° west.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 186

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

"Whereas", C. K. Thomas and Audrey Myers, 2 Bay Avenue, have petitioned the Town of Shelter Island for permission to remove 178 feet of existing bulkhead, construct 178 feet of new bulkhead in-place with a 4 foot return at north end, fill any void areas with clean fill and regrade area, and

"Whereas", a public hearing was duly held on the 27th day of March, 2020, for all interested persons to be heard in favor of or in opposition, now, Therefore

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

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

Reasons supporting this determination: The proposed dock:

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

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

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 187

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

"Whereas", Alice B. Klaris, 18 Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay, approximately 130 feet northwest off applicant's property and approximately 130 feet southwest of proposed site of Costa riparian mooring, and

"Whereas", a public hearing was duly held on the 27th day of March, 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.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 188

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

"Whereas", Philip O'Connell, 20A South Cartwright Road, has petitioned the Town of Shelter Island for permission to relocate a mooring situate at latitude 41.07477° north and longitude 72.31588° west in Coecles Harbor at a location at the end of Burns Road to a new location designated as latitude 41.074783° north and longitude 72.315672° west, and

"Whereas", a public hearing was duly held on the 27th day of March, 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.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Bebon and seconded by Councilman Colligan, the meeting was adjourned at 5:02 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

April 17, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 17th day of April, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Councilman Albert Dickson was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and six persons were also present.

This meeting is being conducted by Zoom.

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

Salute to flag.

The Supervisor made the following announcement:

This is the April 17, 2020 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. 189

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

"Whereas", Tom Field, 2 South Ferry Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in West Neck Creek at a location north of the Simpson Road Town landing, 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 8th day of May, 2020, 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
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 190

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

"Whereas", William Cummings and Bernt Hieberg Svenby, 16 Margaret's Drive, have petitioned the Town of Shelter Island for permission to remove existing ramp and floating dock, install new 3' by 20' ramp and 6' by 30' floating dock placed in and "L" configuration in West Neck Creek, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:44 p. m., prevailing time, on the 8th day of May, 2020, 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
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 191

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,040.75 to the Postmaster from the 2020 A1330.414 Receiver of Taxes postage account for the purchase of stamps.

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. 192

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

"Whereas", sealed bids for the purchase of one track loader were received by the Town Clerk's Office, and

"Whereas", the following bid was the sole bid received:

All Island Equipment Corp: $81,900.00 total for machine and attachments
-$10,000.00 trade in for CAT
$71,900.00 total after trade; and

"Whereas", the Superintendent of Highways has recommended to award said bid to All Island Equipment, now, Therefore

BE IT RESOLVED, That the bid is hereby awarded to All Island Equipment Corp. for the aforementioned amount.

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. 193

Supervisor Siller offered the following resolution, which was seconded Councilwoman Brach-Williams, to wit:

"Whereas", sealed bids for the purchase of one new turf-topper were received by the Town, and

"Whereas", the following bid was the sole bid received:

All Island Equipment Corp: $22,500.00, and

"Whereas", the Superintendent of Highways has recommended to award said bid to All Island Equipment Corp., now, Therefore

BE IT RESOLVED, That the bid is hereby awarded to All Island Equipment Corp. for the aforementioned amount.

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. 194

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

"Whereas", Lori and Greg Raymond 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 62 West Neck 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 $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 a conditional rebate of up to $15,000.00 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
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 195

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

"Whereas", The Peconic Estuary, the expansive network of bays and waterways nestled between the North and South Forks, is an important natural resource of incomparable beauty that provides significant economic and quality of life benefits; and

"Whereas", This ecosystem, where salt and fresh waters mingle, represents the geographic, ecological, and cultural heart of the East End of Long Island, changing endlessly with currents, tides, species, and other influences; and

"Whereas", The Peconic Estuary's living resources, water quality, and aesthetic character have suffered from human uses; and

"Whereas", Protection and restoration of the Peconic Estuary's environmental quality requires a recommitted focus by a partnership of Federal, State and local governments, businesses, academia, non-profits and the public, now, Therefore

BE IT RESOLVED, That We, therefore, pledge to support the Peconic Estuary Partnership's mission to protect and restore the Peconic Estuary and its Watershed, to commit to a collective vision of a successful partnership dedicated to restoring clean water, protecting and enhancing vibrant ecosystems and communicating sound science for nature-based coastal planning in the Peconic Estuary and its watershed, and

BE IT FURTHER RESOLVED, That we pledge to focus on clean waters, a healthy ecosystem with abundant, diverse wildlife, strong partnerships and engagement, and resilient communities prepared for climate change through implementation of the Peconic Estuary Partnership Comprehensive Conservation and Management Plan (CCMP) 2020.

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. 196

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

"Whereas", Shanty Bay Property LLC, 44 and 46 Tuthill Drive, has petitioned the Town of Shelter Island for a wetlands permit to construct a new single family home with well and IA septic on vacant property, 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 8th day of May, 2020, 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
	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 Councilwoman Brach-Williams, to wit:

"Whereas", the Town of Shelter Island Highway Department has sold off various pieces of surplus equipment and has received funds totaling $17,422.00, and

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

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

$17,422.00 increase to the 2020 DA2665 revenue account, to be funded by the funds received from the sale of said surplus equipment, and

$17,422.00 increase to the 2020 DA5130.246 Highway Machinery miscellaneous equipment expense account.

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. 198

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

BE IT RESOLVED, That the following 2020 budget modification is hereby approved: $70,300.00 from the Ambulance equipment Capital Reserve fund to the A4540.200 Ambulance equipment account.

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. 199

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

BE IT RESOLVED, That 2020 general claims numbered 440 through 549 in the amount of $251,648.27, 2020 Community Preservation Fund claim number 10 in the amount of $1,162.50, 2020 highway claims numbered 56 through 62 in the amount of $5,846.59, and 2020 West Neck Water claims numbered 9 through 10 in the amount of $304.19 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
	Supervisor Siller	aye
		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 Stuart Coleman and Meryl Rosofsky, 31B Dickerson Drive, for a wetlands permit for approval of existing shed constructed 75 feet from wetlands boundary and 11.3 feet from front yard setback and 6.9 feet from side yard setback.

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

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

Councilwoman Brach-Williams presented the Planning Board report which was as follows:

17 April 2020

Re**: Coleman/Rosofsky Wetlands application**

31B Dickerson Drive

Shelter Island, NY

SCTM # 700-22-02-22.2

Zone C; within the Near Shore Peninsular Overlay District

We are in receipt of the Town of Shelter Island Wetlands Permit Application prepared by Matthew Sherman, dated 20 February 2020, for the Stuart Coleman and Meryl Rosofsky shed located at 31B Dickerson Drive.

This application tries to legalize an existing 10’ x 16’ shed installed by the property’s previous owner. The shed is located 11.3’ from the front yard property line and 6’-9” from the side yard property line in this C-zone neighborhood. For this, the ZBA granted relief in Appeal 10-2018 dated 25 September 2019.

The shed also sits seaward of the Towns 100’ regulated line, though landward of the 75’ regulated area.

The property is additionally improved with a dock, a swimming pool and patio that are mostly within the Adjacent Regulated Area, and a 10’ x 10’ gazebo.

The applicant received a NYS DEC Letter of No Jurisdiction, #1-4732-00623/00003, dated 26 December 2019, base on the shed being located landward of the 10-foot elevation contour.

Findings and Recommendations

With application and survey in hand, Planning Board members visited the site on March 24, 2020. The shed’s intrusion into the front and side yard setbacks was more noticeable than its existence in the Adjacent Regulated Area. We did feel that the shed could have been moved closer to the driveway, north and east, to conform with bulk regulations. But this move would not have permitted any greater conformance with the wetland’s setbacks.

The shed appears to be used for storage. On the exterior is an electrical junction box that appears to tap into, or function as a disconnect, for the house’s electrical service.

Relocating the shed would be complicated by the required electrical work.
The shed is anchored at the four corners with helix screw to meet code requirements.
We did feel that shed roof water could be collected and piped to Flowells, or similar small drywells, to permit storm water recharge. But this may not be needed as a swale exists on the property that prevents stormwater, flowing across the lawn, from reaching the wetlands.
We believe the existing shed, of small size, poses limited adverse effects on the wetlands and therefore recommend the approval of this application.
Respectfully submitted,
By Marcus Kaasik, Planning Board member
Ian McDonald, Architect, Planning Board Chairman
For the Planning Board

There was no written report from the Conservation Advisory Council but one member present stated that they had no issues with this application and recommended approval.

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 for Stuart Coleman, Dickerson Drive, this project is held over from a previous property owner, and the property had just changed hands at the beginning of 2020 and as part of the __, the new owner had to get the proper approvals in place for the shed, make sure the COs were in order, what's been happening on this, I can show you some of the details on it, it's a one acre piece of property on Menantic Creek and coming out by the Island Boatyard and surrounded by residential properties, it's this property right here in yellow, it's relatively spaced between what is an extension of Dickerson Drive and Menantic Creek, there is the main house which was built in 1990, main house with the driveway and a garage underneath it, this is the shed that we are talking about, down here is the wetlands, it comes into this little inlet and then wraps down along the waterfront of the property, the main house was built in 1990 and in 1999 there was a deck that was built on the waterside of the property, and then in 2003 there was a permit to build a pool and the surrounding decking, the pool is seventy-nine feet off of the wetlands boundary and that was built shortly after the Wetlands Code, the Shelter Island Wetlands Code came into play in July of 2020, of 2001 excuse me, the issue that we are talking about now with the shed, we've got the seventy-five foot wetlands line and the hundred foot wetlands line, as Dottie had mentioned in the notice, the shed is also nonconforming with the front and sideyard property lines by eleven foot three inches, eleven foot point three feet, the front yard is supposed to be thirty feet and just under seven feet to the sideyard and that is supposed to be ten feet, so we had to go the ZBA to get an approval for the shed in its existing location, one of the questions that came up with the ZBA was when did the shed get built, when was it constructed, the property owner knew that it was built in about the same time that the Wetlands Code was put in place in 2001 but he didn't have any records of exactly when this thing was built, so we went back and we looked at some aerial photos, this is an aerial photo from the Suffolk County GIS website and this is from 2001 and it is clearly in the winter because there are no leaves on the trees however whether it was from January into March, or whether it's October, November or December of 2001, we don't know, in this photo you can see, it's a little bit hard to see on this photo unfortunately, there is a dumpster in the parking area, and you can see a straight line at a ninety degree turn right here which is what I believe to be that shed at some point in 2001, I've got some, this is the actual picture off of the County GIS website, again in 2001, this is in 2004, you can see the shed a little bit better and 2006, you can see the shed very clearly, so in that same location going back to some point in 2001we've got some evidence of the shed being there, it becomes important for when this photograph was taken because the Town Wetlands Code came into play in July of 2001, so if this is a picture from March, then it predates the wetlands requirements, the wetlands regulations, if this is a photograph from November, then it's afterwards, either way, had the previous property owner gotten the proper building permits when he built the shed we wouldn't be having this conversation because it would all be taken care of in time, I called the County to try to find out what the actual date is on this photograph and they haven't been able to track it down yet, so what I did was, I did some looking around on the map and said what can we use to try and date when this picture was taken, so I found zoomed into the baseball diamond and there is chalk on the field, I've taken that to be March because if it was September, there wouldn't be chalk on the field so that means we have determined that the shed predates the Wetlands Code, it's all anecdotal obviously but at least it gives us a little bit of an idea as to when the shed was constructed, the other issue now is getting the approval now because we didn't have the building permits when they built it, getting the approval now for the after the fact construction and I just wanted to show you some of the specifics of the shed, I'm sure that most of you have been to the site, the shed is surrounded by mature vegetation, this is from the waterside, cause you've got the

driveway to the right hand side, lots of trees, foliage, bushes, stuff around the shed, from right in front of the wetlands area looking up towards the shed and this is looking in the opposite direction, this is the creek in the background, that little wetlands inlet is just on the other side of these trees over on the side, and that's looking down the road out past Calabro's on the right hand side, Jason Green would be behind us, looking out toward Dickerson in front of us, this is the view from, you're driving out, looking toward the house, one of the questions that had come up in the ZBA was whether or not we could put the shed over here in this conforming location, right in front of the front door, the front yard setback comes right down at about this line here, just outside of those trees so you could fit, there's like a fifteen to twenty by twenty-five foot section in here that would be compliant, the seventy foot comes right here in this area around this tree, the front yard setback and the side yard setback leaves us an area of about fifteen by twenty-five where we could put that shed, it doesn't make a lot of sense right in front of the front door, we've already gotten the approval from the ZBA to keep it in that location on the far side where we need the ZBA approval to ___ get into __ and the side yard setbacks, the issue, let me go back to the survey, the issue with moving it over, not only do we have the septic system right here to the left of that area, this is the area right here where we would be able to fit it, it doesn't make sense in the front yard, it's close to the septic system and there's a lot of mature vegetation that would have to be removed in order to move that shed over to this area, from a wetlands standpoint, the issuance of a permit for a shed or some other type of construction, between the seventy-five foot setback and the hundred foot setback is allowed in the Wetlands Code, you just have to get a wetlands permit to do it, so they're not looking for any type of special exception for some type of special __ in order to get the shed approved so my __ on it and the property owner perspective as well is that doing anything that requires the moving of the shed would significantly impact a negative impact from an environmental aspect on the property with not any appreciable benefit and would also result in a site where it doesn't necessarily function as a benefit that it would with that shed being right smack dab in front of that front door over here on the other side, so that's what I've got for my presentation, any questions for me; Town Board; we don't have a problem from the neighbors and the history of any problem from the neighbors for this; that's correct, Jason Green actually sent a letter to the ZBA in support of the application and I can forward that to the Board; okay, I just wanted to know, the fact that it is well vegetated is a big plus because obviously the neighbors can't even see it; anybody in the viewing audience Craig; no; we're not gonna close this hearing because of the way we're gonna leave it open for any comments from the public so we're, guess we'll adjourn it Dot; just hold it open.

The Supervisor held the hearing open at 4:58 p. m. and called to order the public hearing to be held as advertised on the application of Sylvain Pascaud, 10 Terry Drive, for permission to install a mooring in West Neck Bay, at a location designated as 41.36804° north and 72.216870° 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 March the second, the WMAC approved this application with newly assigned coordinates and they are 41.0638531 and 72.364619 west, and they are in the minutes Dot; yes, I have them, thanks; those are the coordinates and they were approved unanimously.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Mr. Pascaud, do you want to speak; no, thank you very much, I'm good; thank you for being here.

The Supervisor declared the public hearing closed at 5:00 p. m. and reconvened the regular Town Board meeting.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:02 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

May 8, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 8th day of May, 2020. 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 seven persons were also present and participated on Zoom.

This meeting is being held via Zoom.

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

Salute to flag.

The Supervisor made the following announcement:

This is the May 8, 2020 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 Susan Binder stating her interest in being on the Recreation Commission.

RESOLUTION NO. 202

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

"Whereas", No Name Road, LLC, 47A South Ferry Road, has petitioned the Town of Shelter Island for permission to construct a 4' by 110' fixed dock extending 100' seaward of mean high water line, install two 10" diameter mooring piling and aluminum ladder in Coecles Harbor, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 29th day of May, 2020, 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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 203

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

"Whereas", Barbara D. Horgan Revocable Trust & Frances H. Herschkowitz, 75 Ram Island Drive, have petitioned the Town of Shelter Island for permission to remove 100' of existing face bulkhead and 9' west return, and construct 100' of new face bulkhead and 9' west return inplace, 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 29th day of May, 2020, 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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 204

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 Margaret Anne Larsen is hereby appointed to serve as a member of the Planning Board for a term to expire on December 31, 2020.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 205

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

“Whereas”, the term of Robert Lipsyte as a member of the West Neck Water Board of Directors will expire on April 25, 2020, and

“Whereas”, Mr. Lipsyte has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Robert Lipsyte is hereby reappointed to serve as a member of the West Neck Water Board of Directors for a term to expire on April 25, 2025.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 206

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

"Whereas", the term of John Reilly as a member of the Conservation Advisory Council expired on September 20, 2019, and

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

BE IT RESOLVED, That John Reilly is hereby re-appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2021.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 207

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 2020 at the rate of $18.00 per hour effective May 18, 2020.

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

Vote: 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:

BE IT RESOLVED, That Jared Hamilton is hereby appointed to serve as Traffic Control Officer for the year 2020 at the rate of $18.00 per hour effective May 18, 2020.

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

Vote: 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:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement check from Poland Spring Water (Nestle Waters North America) in the amount of $20.00 for an overpayment to the 2020 A3510.484 Animal Control office and miscellaneous account, and the check from the County of Suffolk in the amount of $5,897.53 for snow removal reimbursement to the Highway DA2302B account.

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

Vote: 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:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $900.00 as follows: $450.00 from the B8010.491 Zoning Officer service contracts account and $450.00 from the B3620.491 Building Inspector service contracts account to Software Consulting Associates, Government Brands Shared Services, Attn: Software Consulting Associates Accounts Receivable, P. O. Box 25477, Tampa, FL 33622, for the annual service and support contract on the Building Department's software for the period May 1, 2020 through April 30, 2021.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 211

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $3,600.00 from the Police Department 2020 A3120.400 maintenance account to Coecles Harbor Marina and Boatyard, Inc. for the 2020 seasonal dockage for the Police boat.

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

Vote: 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 Taylor Rando is hereby appointed to serve as Traffic Control Officer for the year 2020 at the rate of $20.00 per hour effective May 18, 2020.

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

Vote: 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", the Suffolk Bicycle Riders Association requested a permit to hold their 2020 Bike-Boat-Bike event on June 7, 2020, and paid the required application and clean up fees for their Outdoor Assembly permit, and

"Whereas", due to the current virus situation, the Association has decided to cancel their event and has requested their fees to be returned, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $200.00 to said Association.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 214

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

"Whereas", an agreement has been reached between the Town of Shelter Island and the Shelter Island Highway Benevolent Association, Inc. pursuant to an Agreement dated April 1, 2020 concerning the implementation of the New York State Paid Family Leave coverage for HBA unit members, now, Therefore

BE IT RESOLVED, That the Town Board hereby authorizes the Supervisor to sign said agreement.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 215

Councilman Bebon 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 2019 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.

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

Vote: 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 an agreement to extend the indexed lump sum municipal snow and ice agreement between the State of New York and the Town of Shelter Island for a period of five years.

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

Vote: 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:

"Whereas", Meryl S. Rosofsky has donated certain items for the care packages for certain Senior Center members in the amount of $235.51, now, Therefore

BE IT RESOLVED, That the Town Board does hereby thank Meryl S. Rosofsky for her most generous gift to the Town of Shelter Island for our Seniors.

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

Vote: 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", Robin Zendell has donated certain items for the care packages for certain Senior Center members in the amount of $820.92, now, Therefore

BE IT RESOLVED, That the Town Board does hereby thank Robin Zendell for her most generous gift to the Town of Shelter Island for our Seniors.

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

Vote: 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", Sylvain Eric Pascaud, 10 Terry Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.039683° north and longitude 72.215110° west, and

"Whereas", a public hearing was duly held on the 22nd day of March, 2019, 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 Bay at a location designated as latitude 41.064131° north and longitude 72.363910° west.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 220

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

BE IT RESOLVED, That the Town Board hereby adopts the following West Neck Preserve Stewardship Management Plan, to wit:

WEST NECK PRESERVE
Shelter Island, New York
STEWARDSHIP MANAGEMENT PLAN

Introduction

7.7 acre preserve is located at 4 Nostrand Parkway (SCTM# 700.17-1-30). The Town of Shelter Island (with Community Preservation Fund money) acquired the property on February 12, 2020, from the O'Connor family. The property consists of eight lots identified on John L. Nostrand's "Map No. 1 of 230 Villa Sites at West Neck Park, Shelter Island," filed November 3, 1888. The property consists principally of woodlands along its bounds, with an open field in the center partly occupied by a small evergreen "farm". All vegetation, except along the diagonal path/road running southwesterly from West Neck Road to Nostrand Parkway and the small evergreen "farm", is due to natural recovery from active farming that began in the 1960's and was well advanced by the late 1970's. Also nearby are a small house, barn and related structures.

Intentions

To maintain the property for passive parkland for freshwater recharge to the fragile West Neck watershed and to preserve its natural features, including but not limited to rare plants, habitats, trees, shrubs and other vegetation.

Name

The property will be called "West Neck Preserve" and will be so-called on all Town maps and descriptive material.

Improvements

The house, barn and other existing farm structures and equipment will be removed so that there will be no improvements remaining on the property.

Management

The property will left in its natural state except:

(a) The entrance to the property will be maintained on West Neck Road, with an unpaved parking area just inside the property for visitors to the property.

(b) A trail or dirt road will be maintained around the periphery of the property to permit walking and assist the management of the property. The existing diagonal trail/dirt road running southwesterly from West Neck Road to Nostrand Parkway will be maintained, with the chains continued at the entrances on West Neck Road and Nostrand Parkway. Additional trails or dirt roads may be maintained as needed for public access and use by Highway Department vehicles only.

(c) The existing grassy area in the center will be mowed as needed to maintain a meadow, and the existing evergreen "farm" will be maintained as appropriate.

(d) Benches and/or a picnic table may be installed where appropriate to assist public access.

(e) The property will be maintained to minimize rainwater run-off.

Public Access and Signage

The public will have access to the property to enjoy, except that their vehicles will be limited to the entrance and parking area. A standard Town preserve sign will be located on the property as appropriate, and the entrance on West Neck Road will be signed with the parking area indicated. Walking paths will be marked to guide the public. Preserve signing and posting will also be maintained around the periphery of the property.

Measures to Protect Ecology

Town will manage the property to protect the ecology of this property. Specifically:

(a) Birds: no particular action will be taken except to keep undisturbed to encourage diversity.
(b) Animals: The property will be left in an undisturbed state as a habitat for animals. No hunting or trapping is allowed unless permitted by the Town.
(c) Vegetation: Invasive species and diseased trees and dead wood should be removed.
(d) Wood cutting: The Town Board may permit wood cutting and removal under the Town's wood cutting program.

Funding

The Community Preservation Fund Advisory Board will submit budget recommendations to the Town annually for maintenance of the property. The Advisory Board will prepare an annual report to the Town Board of expenditures from the Community Preservation Fund for stewardship of the property.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 221

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

BE IT RESOLVED, That the Town Board hereby adopts the following North Menantic Preserve Stewardship Plan, to wit:

NORTH MENANTIC PRESERVE
Shelter Island, New York
STEWARDSHIP MANAGEMENT PLAN

Introduction

This six-acre preserve is entered on Ned's Lane (unpaved) from North Menantic Road across from Bowditch Road. It consists of Ned's Lane (SCTM# 700.14-2-61.9) and five lots (61.3 - 61.6, and 61.8). To acquire the property, the Town of Shelter Island worked closely with the Peconic Land Trust. The Trust's Regional Aquifer Protection Land Acquisition Program (RAPLAP) received funding under New York State's Water Quality Improvement Program which required 25% matching funds from local government or other sources. On February 20, 2020, the Trust purchased the property and simultaneously the Town (with Community Preservation Fund money) purchased the property from the Trust for 25% of the purchase price.

The Ned's Lane lot is subject to rights of way from North Menantic Road to the tennis club's parking lot at 39 North Menantic Road (SCTM# 700.14-2-61.2) and to the private residence at 6 Ned's Lane (SCTM# 700.14-2-61.7). The property consists principally of high grass meadows and shrubs and wooded areas sloping to the southwest with a ravine along the southerly boundary. All vegetation, except along the ravine, is due to natural recovery from active farming that began in the 1960's and was well advanced by the late 1970's.

Intentions

To maintain the property as passive parkland for freshwater recharge of the fragile West Neck watershed and to preserve natural features, including but not limited to rare plants, habitats, trees, shrubs and other vegetation.

Name

The property will be called "North Menantic Preserve" and will be so-called on all Town maps and descriptive material.

Improvements

There are no improvements on the property aside from water wellheads installed as part of a subdivision effort.

Management

The property will be left in its natural state except:
(a) The entrance to the property will be maintained on the Ned's Lane lot with an unpaved road to provide access to the public and use of rights of way to the tennis club and the private residence, and with an unpaved parking area just west of 37 N. Menantic Road for the public visiting the property.
(b) A trail or dirt road will be maintained around the periphery of the property to permit walking and assist the management of the property. Additional trails or dirt roads may be maintained as needed for public access and use by Highway Department vehicles only.
(c) Benches and/or a picnic table may be installed where appropriate to assist public access.

(d) The property will be maintained to minimize rainwater run-off.

Public Access and Signage

The public will have access to the property to enjoy except that their vehicles will be limited to the entrance and parking area. Standard preserve signage will be located on the property near the entry of Ned's Lane from North Menantic Road, together with signing indicating that the parking area is for preserve visitors and that the tennis courts and residential area are privately owned and not open to the public. Minor fencing may be installed as appropriate. Walking paths will be marked to guide the public. Preserve signing and posting will also be maintained around the periphery of the property.

Measures to Protect Ecology

The Town will manage the property to protect the ecology of this property. Specifically:
(a) Birds: no particular action will be taken except to keep undisturbed to encourage diversity.
(b) Animals: The property will be left in an undisturbed state as a habitat for animals. No hunting or trapping is allowed unless permitted by the Town.
(c) Vegetation: Invasive species and diseased trees and dead wood should be removed.
(d) Wood cutting: The Town Board may permit wood cutting and removal from the property as part of its wood cutting program.

Funding

The Community Preservation Fund Advisory Board will submit budget recommendations to the Town Board annually for maintenance of the property. The Advisory Board will prepare an annual report to the Town Board of expenditures from the Community Preservation Fund for stewardship of the property.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 222

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

BE IT RESOLVED, That the Town Board hereby adopts the following Community Preservation Fund Volunteer Stewardship Program Policy, to wit:

TOWN OF SHELTER ISLAND
Community Preservation Fund
Volunteer Stewardship Program Policy

1. Purpose. The purpose of the Program is to foster regular monitoring of lands for which the Town is responsible under its Community Preservation Fund Program at minimum cost to the Town.

2. Background. The Town is responsible for the management of more than 375 acres of land in more than 20 locations under its CPF Program. From woodlands and lakes to parks and beaches, protecting these diverse resources for all to enjoy is a substantial undertaking. The Town's ability to do so will be greatly assisted by individuals who volunteer to monitor these resources.

3. Management. The Town Board is responsible for the overall management of the Volunteer Stewardship Program described in this Policy and for interpretation and changes of the Policy. The Town Board may delegate that responsibility to the CPF Advisory Board and to a subcommittee of the Advisory Board except for amendments and termination of the Policy. If the Town Board approves the establishment of a subcommittee, it will have at least three members drawn from the CPF Advisory Board and the subcommittee and its chair will perform the duties assigned to the Advisory Board and its Chair by this Policy under the supervision of the Advisory Board. The Advisory Board member assigned to the Preserve will be the Preserve Contact for its Steward.

4. Benefits. Stewards will receive free training in land management, with opportunity for further learning in natural history, trail maintenance and boundary monitoring as well as an opportunity to work with like-minded people to care for land that is important to the water quality and people of Shelter Island. Stewards are not Town employees; they receive no monitory compensation and do not participate in the Town's benefit plans for employees. Stewards must release the Town from any liability for injury or death occurring while acting as a Steward.

5. Appointment.

(a) All applicants must be at least 18 years old, in good health and capable of walking about Preserves, including areas not served by road or mowed path. They must also be available to visit

their Preserve at least once monthly for a year or season. Preference will be given to full-time or seasonal neighbors of the Preserve concerned.
(b) The Advisory Board will provide information about the Stewardship Program, the procedure for becoming a Steward, and the responsibilities that go along with becoming a Steward on the Town website and by press releases, other announcements and personal contact. The CPF Clerk will provide to interested individuals copies of the Application form and an Agreement form (Attachments A and B). An individual desiring to become a Steward should complete and submit an Application to the CPF Clerk, who forwards it to the Advisory Board for review.
(c) The Preserve Contact should review the Application and interview the Applicant and provide his or her recommendation to the Advisory Board. If the Advisory Board finds that the Applicant is a good prospect for the Preserve, the Preserve Contact and the Applicant prepare a proposed Agreement. The Agreement may include Preserve specific conditions, training, equipment (if any), and health and safety measures. Upon completion of a proposed Agreement, the Advisory Board reviews the proposed Agreement and if it approves of the Agreement it will authorize the Advisory Board Chair to sign the Agreement. If the Board does not approve, the Board shall promptly advise the Applicant of its decision. The Advisory Board Chair shall promptly advise the Town Board of its actions on applications. Copies of all approved Agreements will be forwarded to the CPF Clerk.
(d) Stewardship Agreements may be amended only by the written consent of both the Advisory Board and the Steward. The Advisory Board may immediately suspend all stewardship activities and revoke an Agreement at any time its sole discretion. If the Steward wishes to terminate the Agreement, the Steward shall provide the Town with at least thirty (30) days written notice.
(e) The Town must maintain copies of completed Applications and Agreements in accordance with Records Retention Policies (three years from the date participation in the Program ends).

6. Operations. The CPF Chairperson and Preserve Contact familiarize a new Steward with his or her Preserve and its Stewardship Management Plan. The Steward visits the Preserve at least monthly. The Steward checks the use, signing and other conditions in the Preserve. It's "if you see something, say something" and "do not confront" the individuals involved. The Steward reports to his or her Preserve Contact promptly substantial issues and provides Monthly Preserve Monitoring Reports (Attachment C). The Preserve Contact and/or CPF Chairperson notify Police, Superintendent of Public Works and other Town personnel as appropriate. The Advisory Board reviews the Steward's Monthly Preserve Monitoring Report at its monthly meetings and takes necessary actions.

7. Safety. Volunteer safety is of utmost concern to the Town. Stewards are cautioned to work carefully, use common sense and follow all safety measures. Any accident, injury or illness should be immediately reported to the Preserve Contact and the CPF Clerk. An accident report must be completed as soon after the accident as possible and submitted to the CPF Clerk and forwarded to the CPF Chair, Preserve Contact and the Town Attorney.

8. Annual Review. The Advisory Board will annually report to the Town Board on the Stewardship Program, including recommendations concerning the Program's continuation and/or change and an evaluation of Stewardship activities.

Attachment A
Application

TOWN OF SHELTER ISLAND
Community Preservation Fund
Volunteer Stewardship Program Application

Completed applications should be delivered to the CPF Clerk. One printed copy is required in addition to a pdf scan.

• Deliver printed copy either (a) by hand to the Town Clerk's office at 38 North Ferry Road, Shelter Island, NY, or (b) by mail to P.O. Box 970, Shelter Island, NY 11964.
• Deliver pdf copy either (a) by e-mail to the CPF Clerk at jroberts@shelterislandtown.us or (b) in a USB drive (thumb drive) by mail to the mailing address above, or (c) by hand to the Town Clerk's office above.

A. Applicant Information
Name (please print)**:**
Address:
City, State, Zip:
Telephone: Home Work/Cell
E-mail:
B. Town Preserve(s) that the Applicant desires to serve as a Steward:
Preserve Name:
Preserve Name:

3. Activities. Stewardship activities generally are to:
• Visit the Preserve at least monthly with a cell phone and keep a record with date and time of visits, general condition of the Preserve, unusual item(s) observed and action taken.
• Check for activities that are inconsistent with the Preserve's Stewardship Management Plan (copy available from the CPF Clerk).
• Check for garbage, dumping, vehicles parked overnight, abandoned equipment, camping, fallen tree limbs blocking paths, invasive vines, vehicle and ATV use on trails and other out of place materials and activities.
• Provide light trail maintenance, such as moving small branches to the trailside, but NO heavy lifting or use of tools.
• Check Preserve and hunting signing, benches, racks and other infrastructure for damage or loss.
• Note presence of visitors, animal and bird activity and interaction with neighbors.
• Report substantial infringements and encroachments to the Preserve Contact as soon as possible by cell phone or text message, and CPF Contact shares report with CPF Chairperson immediately. Report other issues within a day or so by email or telephone to the Preserve Contact, who shares report with CPF chairperson. It's "if you see something, say something." DO NOT approach or challenge the person seemingly responsible. CPF Contact and/or CPF Chairperson notify Police, Superintendent of Public Works and other Town personnel as appropriate.
• Report monthly by email to the Preserve Contact conditions on Preserve, follow-up actions and hours spend on stewardship activities with a Monthly Preserve Monitoring Report. Preserve Contact shares monthly report with CPF Advisory Board in advance of its next monthly meeting.
• Discuss with the Preserve Contact any problems, disagreements, questions of interpretation of the Agreement and other concerns as soon as possible. Preserve Contact shares such matters with CPF Chairperson and other Town personnel as appropriate.
Actual duties will depend on the Preserve involved and will be described in the Stewardship Agreement.
4. Proposed Term of Agreement (check most appropriate):
Season (give dates) One year Other
5. Benefits. Free training in land management, with opportunity for further learning in natural history, trail maintenance and boundary monitoring as well as an opportunity to work with like-minded people to care for land that is important to the water quality of Shelter Island. Stewards are not Town employees; they receive no monitory compensation and do not participate in the Town's benefit plans for employees. Stewards must release the Town from any liability for injury or death occurring while acting as a Steward.
6. Personal Condition. Applicants will need to walk about the Preserve, including areas not served by road or mowed path. They must take care to avoid hazardous situations and to take all precautions to guard against tick bites, including seeing a doctor immediately upon discovering a bite.
7. Equipment. Stewards must bring with them to the Preserve a functioning cell phone so as to be able to contact the Preserve Contact for a reportable issue and to call for assistance should they require medical or other assistance.
Applicant's Signature: Date:
Attachment B
Letter Agreement
[Shelter Island Town Letterhead]
[Date]
[Steward's Name and Address]
Dear _____
We invite you to become the Steward of the _____ Preserve located at [insert street address] with the activities, benefits and other terms described in this letter.
1. Contacts:
Preserve Contact: _____, tel: _____, email: _____;
CPF Chairperson: _____, tel: _____, email: -_____;
CPF Clerk: Jane Roberts, tel: 631-749-0758, email jroberts@shelterislandtown.us.
1) **Activities.** Your activities will be to:
[*Insert all of the nine activities described in Paragraph 3 of the Application that are relevant to the Preserve, and insert additional activities that are particular to the Preserve.*]
3. Training. The CPF Chairperson and Preserve Contact will familiarize you with the Preserve and its Stewardship Management Plan and provide a survey or map if available. You will be invited to meetings of the Advisory Board to learn about property management. You will meet Town personnel and others concerned with Preserve issues.

4. Condition & Safety. You will need to walk about the Preserve, including areas not served by road or mowed path. You must take care to avoid hazardous situations and to take all precautions to guard against tick bites, including seeing a doctor immediately upon discovering a bite. Volunteer safety is of utmost concern to the Town. You are cautioned to work carefully, use common sense and follow all safety measures. Any accident, injury or illness should be immediately reported to the Preserve Contact and the CPF Clerk. An accident report must be completed as soon after the accident as possible and submitted to the CPF Clerk and forwarded to the CPF Chairperson, Preserve Contact and the Town Attorney.

5. Equipment. You must bring with you to the Preserve a functioning cell phone so as to be able to contact the Preserve Contact for a reportable issue and to call for assistance should you require medical or other assistance.

6. Recognition. The Town may provide recognition of your stewardship activities by letter, certificate, press release or other. You grant the Town permission to take photographs and video recordings of you and to display, publish or otherwise use any photographs, video recordings or any other media associated with your stewardship activities for the Town's Stewardship Program purposes. You also consent to the use of your name in connection with such images for such purposes.

7. Release. You acknowledge that performing stewardship activities for the Town could result in physical or emotional injury, paralysis, disability, and death to yourself or to third parties, as well as property damage. Some of the risks arise from the: (a) nature of the activity; (b) latent or apparent defects in or the condition of the property; (c) use of property or equipment by yourself or others; (d) your own acts or omissions or the acts or omissions of other participants; (e) acts or omissions of the Town; (f) your physical condition or the physical condition of others; (g) conditions of the Town property and surrounding grounds or terrain; and (h) first aid, emergency medical treatment or emergency transportation. You accept and assume all of the risks associated performing stewardship activities for the Town. You hereby voluntarily release, forever discharge and covenant not to sue the Town, its departments, officers, boards, employees and volunteers ("Town") on behalf of yourself, your heirs, assigns, personal representatives and estate with respect to any and all claims, liabilities, demands or causes of action which may arise in connection with your stewardship activities for the Town.

8. Amendment and Renewal. This Agreement may be amended by written agreement of you and the CPF Advisory Board. You and the Town shall each have the option of renewing the Agreement with the approval of the other.

9. Termination. The CPF Advisory Board may immediately suspend all stewardship activities and terminate the Agreement at any time during its term if, at its sole discretion, the CPF Advisory Board determines the conditions of the Agreement are not being met, or if the activities described herein are no longer required. If you wish to terminate the Agreement, you shall provide the CPF Advisory Board with thirty (30) days written notice.

If you agreeable, please sign the enclosed copy and return it to the CPF Clerk at the address above or by email to jbroberts@shelterislandtown.us. A copy signed on behalf of the Town will be provided as soon as it is signed.

Town of Shelter Island **Steward**

By:_____ **By:_____**

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 223

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 4:44 p. m. prevailing time on the 29th day of May, 2020, 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 Revised St. Gabriel's Meadow Preserve Stewardship Plan, to wit:

ST. GABRIEL'S MEADOW PRESERVE

Shelter Island, New York

REVISED STEWARDSHIP MANAGEMENT PLAN

Introduction

This 7.90 acre parcel is located at 38 Burns Road, SCTM# 700.15-4-145.1. The Town of Shelter Island (with Community Preservation Fund money) and Suffolk County each acquired undivided 50% interests in the property on March 22, 2004, from the Passionist Monastery of Our Lady of the Isle. On September 19, 2010, the Town adopted a stewardship plan for the property in Section 5 of Local Law No. 12 - 2010. The Town desires to revise that document to eliminate the split-rail fence, provide provisions for the area along its southerly boundary and incorporate provisions common to plan features adopted since 2010.

The parcel is bounded on the north by Burns Road, on the east by the Pandion development (formerly the Passionist Monastery), on the south by property of New York State and 36 North Cartwright Road, and on the west by 38 North Cartwright Road and North Cartwright Road.

The property consists principally of a mowed grassy open field or meadow, with several mature maple trees along Burns Road, a row of young maples set into the meadow about 12 ft south of Burns Road, a row of ten mature cedar trees towards the southerly side of the meadow and, just north of the southern boundary, a mix of trees, shrubs and high grass. The NY State property on the south side is a 17-ft. wide strip with a one-lane paved road (SCTM# 700.15-4-119); the NYS Department of Environmental Protection (DEC) manages the strip and adjacent NY State property.

Intentions

To use the premises as passive parkland. To preserve natural features, including but not limited to: rare plants, habitats, trees, shrubs and other vegetation. To maintain and preserve the spirit of this property as an open meadow for water recharge.

Name

The property will be called "St. Gabriel's Meadow Preserve" and will be so-called on all Town maps and descriptive material.

Improvements

There are no improvements on the property.

Management

1. To provide organic maintenance services, which include but are not limited to:

a. To endeavor to mow the currently mowed grass at three and one-half inches. The adjacent high grass area may be left natural except that it shall be mowed once per year to keep as open meadow and prevent the growth of brush and trees. Mowing will be done by the Highway Department unless the Town Board decides to hire a private contractor.

b. Grass clippings are to remain on the lawn

c. Litter/debris collection as deemed necessary by the Highway Department.

d. Removal by the Highway Department of all invasives wherever present. Environmental Protection Agency approved chemicals can be used to assist in the control of invasives.

e. Removal by the Highway Department of any diseased trees and dead wood to maintain an appropriate and safe environment. Replacement by the Highway Department of any trees that are removed within one year as appropriate to the setting. Enhanced plantings of shrubs, trees and flowers that change the purpose of this preserve are prohibited.

2. To maintain the property in a manner which minimizes rainwater run-off. Any overseeding should incorporate the use of fescue grasses. Varieties of rye and blue grasses are NOT to be used.

3. To use the premises for the historical Fire Department Annual Chicken Barbeque and in accordance with the license with the Shelter Island Fire Department dated 3/18/2004, or as otherwise authorized by the Town Board.

4. To permit temporary portable toilets for the historical Firemen's Annual Chicken Barbeque. No PERMANENT public toilets are to be erected.

5. To prohibit, as required in the New York State fire insurance companies standard fire policies, use or storage on the premises of any illuminating oils, candles, oil lamps, turpentine, benzene, naphtha, or other similar substances or explosives of any kind.

6. To remove the presently aged wood post & rail fence around the Burns and Cartwright Road frontages. The Highway Department finds that the fence hinders efficient mowing; it restricts entry for the Fire Department and other events; and it is in poor condition.

7. The frontage next to the State's strip should be kept free of invasive plants, and dead trees and large fallen branches should be removed to allow undergrowth to recover.

8. Benches may be installed where appropriate to assist public access.

Public Access and Signage

The public will be encouraged to utilize the property by walking along and in the Meadow. Organizations and others desiring to use the Meadow for group events must obtain a permit from the Town Board for uses that are compatible with the Meadow and its setting.

Standard County/Town signage will be located on the property near the corner of Burns and Cartwright Roads. Customary Preservation signs will be posted on the property along Cartwright and Burns Roads and along the State's strip.

Measures to Protect Ecology

The Town will manage the property to protect the ecology of this property. In order to encourage diversity of birds and wildlife, the property should be maintained as an open field/meadow.

Specifically:

(a) Birds: No particular action will be taken except to keep undisturbed to encourage diversity.

(b) Animals: No hunting is allowed unless permitted by the Town, and the property will be posted as such, including along the State's strip.

(c) Vegetation: Invasive species will be removed by the Highway Department.

(d) Wood cutting: The Town Board may permit wood cutting and removal from the area next to the State's strip under the Town's woodcutting program and with coordination with the DEC for access if needed.

Funding

The Community Preservation Fund Advisory Board will submit budget recommendations to the Town annually for maintenance of the property. The Advisory Board will prepare an annual report to the Town Board of expenditures from the Community Preservation Fund for stewardship of the property.

Section 2. Section 5 of Local Law No. 12 - 2010 is hereby repealed.

Section 3. Effective Date:

This Local Law shall become effective 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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 224

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

"Whereas", the Senior Citizens Foundation of Shelter Island, Inc. has made a very generous donation in the amount of $7,500.00 to be used for improvements to the Wade's Beach bathhouse, and

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

BE IT RESOLVED, That the Town of Shelter Island sincerely thanks the Senior Citizens Foundation of Shelter Island, Inc. for their very generous donation, and

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

$7,500.00 increase to the 2020 A2705W Wade's Beach donations revenue account, to be funded by the donation received from the Senior Citizens Foundation of Shelter Island, Inc., and

$7,500.00 increase to the 2020 A1490.409 Public Works beaches and parks expense account.

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

Vote: 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 Supervisor Siller, to wit:

BE IT RESOLVED, That 2020 general claims numbered 550 through 651 in the amount of $83,903.90, 2020 Community Preservation Fund claims numbered 11 through 12 in the amount of $2,620.00, 2020 highway claims numbered 63 through 77 in the amount of $12,206.01, and

2020 West Neck Water claim number 11 in the amount of $272.95 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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:57 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Shanty Bay Property for a wetlands permit to construct a new single family home with well and IA septic on vacant property.

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

The Supervisor called for the reports from the Planning Board and the Conservation Advisory Council. There were no reports submitted at this time.

The Supervisor reported that the way it stands is, to a certain extent the Town's hands are tied, this permit was denied and the applicant went before the, filed an Article 78 and won their case, so what we, and Matt, correct me if I'm wrong, what we had discussed was, we were told to approve it but in hindsight, after we reviewed it, the application that was approved is not what's current before us now.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: yeah, I can go through the application, this has been going on for the better part of ten or eleven years, they had approvals from the DEC and the Health Department, we went to the ZBA and got the denial and the applicants then filed an Article 78 __ to get that and the Article 78 came back in their favor and the ZBA at the beginning of this year has approved the plan, I'll go through the plan, not going into too much detail, to give you a better idea of what we are talking about, the property is just over a half an acre on Tuthill Drive, it's got two front yards, Tuthill Drive and Oak Road, Tuthill Drive to the north and Oak Road on the left and it's bordered by Shanty Bay to the south which is part of Coecles Harbor, this is the site survey that was used as the base map for all of the drawings that were done, for the ZBA, the DEC, the Health Department and now in front of the Town Board, it starts up at Tuthill Drive with about a six foot elevation at the highest point, coming down on a gentle slope to the top of the bluff near the water's edge and coming down towards the wetlands boundary, there are a number of different lots, when this area was subdivided, this was lot one through eight and these lots create two separate tax map parcels, tax map parcel twelve two five and twelve two six, we've got a forty foot setback from Oak Road, which is a Town landing and we've got ____ side yard setbacks from the residential property, the wetlands setbacks, this is the wetlands boundary down here on the south side of the property, this was updated in 2017 with recent wetlands boundaries, seventy-five foot setback just south of the front yard setback and then the hundred foot wetlands setback which is just north of that, so from the Town's ___, this first seventy-five feet which is referred to as the vegetative buffer and the next twenty-five feet is referred to as the adjacent vegetative buffer and that whole area which is the wetlands area which is regulated by the Town; Mr. Supervisor, Supervisor Siller; yes; this is Bob Kohn speaking, I'm sorry to interrupt Matt Sherman but one of the __ in a letter which I sent to the Board yesterday is that this hearing is premature for a variety of reasons; can we follow, can we just continue and then you can speak right after he is done; okay, I just wanted to make sure you; thank you; the house that was approved by the ZBA is this footprint right here, this is the patio, we've got a pool to the south of that, a cantilevered deck, it doesn't touch the ground, it's about four and a half feet to five feet above grade which is on the waterside of the house, __ the waterside facing it right at the setback, then there's the pool and the patio to the north, the septic design which is __ right now, we've got the IA septic tank and the leaching __ to the right hand side __ the Health Department's ___, there were no IA systems around so we improved this by using the IA, I've also gone to some leaching areas __ minimize the deck to get a little more distance, the __ right here to the north of the house and then we've got the swimming pool ___, AC units and ___ next to the corner of the house, the basement of the house, this is what we're looking at from Tuthill, is, the Town's regulations allow thirty foot maximum height where __ the Town looked at where we would be twenty five feet from ____ ten foot shorter than what

we would otherwise be allowed by Code and if anybody needs copies of this, I can get copies of this, from the waterside, the pool and patio are on the right hand side, this area slopes down away from the __, this area has got about a six foot drop down to the __ behind the house, here we've got side views, downward to approximately a __ foot elevation, we've got four and a half feet give or take to the __ of the house and about five feet to the bottom of the swimming pool so __ impacting the construction on this property and once this construction is completed, __ the issue of groundwater __ the bottom of the foundation, ___ this structure here at the ___ is about four feet ten inches or so above grade and it sticks out about six and a half from the foundation, the cantilevered deck is actually, came from the DEC's process __, it was their suggestion that we do something cantilevered so that we could still keep the foundation __ from the wetlands boundary so then rather than have a twenty foot wide building, we were able to get a little bit of extra distance in there and make it a little more usable, the floor plan, this is the main floor, a bedroom, living room, dining room, kitchen, patio here, we've got a small shower, a half bath towards the pool area, another half bath for the main part of the house and for this bedroom a full bathroom, the __ with the cantilevered deck which I was talking about is extending out and not touching the ground, the second floor __ as the first, it's got an open deck, a bathroom and two bedrooms, this house is a four beds three bathrooms house with two half baths, the stairs here going down to the first floor with an area that's open to the above, the first floor is one thousand four hundred thirty-one square feet, the second floor is one thousand four hundred forty square feet of living area, so the house is basically a twenty-nine hundred square foot house, the house itself is fifteen hundred and eighty square feet and the entire lot coverage for the house, the pool, the patio is just over twenty-nine hundred square feet, this is the foundation, a laundry room and unfinished storage on either side of where the laundry is gonna be, __ , this will give you an idea of what we are talking about and what we're talking about where the structure is gonna be placed, this goes right out to the front property line, the fence is right on the property line, this is about the middle of the property if you're looking at it from the water, from left to right, so this is the property, this is the house to the left, an open area, looking down towards Shanty Bay of Coecles Harbor, this is looking over to the right, this right over here is where ___ in line with the property line, the property itself is __ very little impact on the __ natural preservation on the site __, this is the way that the __ adjacent to __ next to __ and the Town landing and this is the top of that bank that's down on the waterside of the property, __ very well vegetated, we'd be willing to add vegetation in this area from the CAC's recommended list of wetlands vegetation __, another area we were looking at, just to give you an idea of how the property drops down away towards the beach front, ___ non-turf buffer, there's a non-turf buffer on the landward side of the top of this bluff to minimize and impact on the wetlands, I'm gonna go back a couple of slides, I want to show you something, okay, on this slide here, __ the DEC on a revised approval, what we need for both the Town and for a revised Health Department permit, the DEC has limited their jurisdiction on this side of this line, this line is the contour, __ the house but most of it __ and also the metes and bounds, the DEC's jurisdictional boundary is typically the ten foot contour but __ benchmark on the survey, so the DEC is __, it should be the nine foot contour ___ so if the ___this part of the property would be outside of DEC jurisdiction, that doesn't really impact the Town's __ but it does add a bit of color to the amount of ___ that this project __ based on __, the other thing I wanted to say is that that ten foot, nine foot buffer would be on the landward side of the fence, other than that, that's pretty much the project in a nutshell __ at this point, if the Board has any questions or anybody else; I have a question for the Town Attorney, Bob on the Town's coverage, coverage, coverage, bulk coverage, is the wetlands included in that or is it not part of the formula, Bob, are you on mute; the overall coverage; yes, lot coverage; ___ of the overall property; maybe that's something we should look at; ___ fence, based on the overall; my gut feeling is it would be based on buildable usage of the land, not the whole, without the wetlands, okay, any questions before we open up; ___ that little sliver at the bottom of the property is about at the most about four feet wide ___ the wetlands out of it; so Matt, where are we exactly with the fact that the Building Department had said that the old permit expired and is no longer valid, there's a revised location and upgrade to which the Suffolk County Department of Health needs to; the Suffolk County is waiting on the DEC, I've got the DEC looking at that ___ hopefully we'll have that within the next couple of weeks, we need the DEC's either a new permit or letter of non-jurisdiction, with that we can go back to the Health Department, we usually get the ZBA approval in order to __ the Health Department's process so everything is kind of backed up waiting for us to get through the ZBA; you mean you need new ZBA approval; no, we needed that in order to go back to the Health Department, now that we've got the new ZBA approval, we were able to go back to the Health Department and go back to the DEC; alright, just bear with me cause I'm a little confused, if we, if you had to, the ZBA's approval was based on the Article 78 right; yes; and the Article 78 was based on the original plan; the Article 78 gave us a specific plan, an approved plan, but the plan that we submitted to you and to the ZBA

was based on a plan that was approved in the Article 78; okay, I'm not a lawyer so I'm not really sure, Bob do you want to say anything before, Amber do you have a question; when I was going through my papers, did we go over the CAC's report; I was gonna speak to that; you've got it in front of you, I have it in front of me too; I have it right here, Matt, did Ed Bausman send you a copy of that; Dottie did yeah; the big things they were concerned about obviously was having everything to scale and elevations provided for them, I think they had a big deal about that, they wanted to make sure that there was no dewatering for the basement, that was a big concern that they had, they were appreciative of the IA system and some of the litigation measures, I think they were looking to reinforce some additional mitigation measures down in the beach area, additional plants, also additional boulders down along the area, I walked that area the other day and it's, they liked the fact that there's not a bulkhead; good, they did have a bunch of concerns, they did just hold on this, they didn't give any sense of approval, they guess, Albert, correct me, they spent quite a bit of time on, Mike you were there, they spent time discussing the application and making these recommendations, they weren't looking for the excavation within the seventy-five foot, they were looking for ___ within the twenty-five foot area, those were some of the highlights that they mentioned but they wrote then up and sent them to you and they were going on the premise that everything else had to fall in line before they issued any approval and that the next time they met in the month of June, if in fact we do get the Suffolk County Health Department and the DEC approval, they would want you present; if I could touch on that, I spoke with Ed Bausman a couple of times about this about this, ___ at the site prior to writing up the recommendations, there are a couple of things here that are not quite sure where the project was, what the rationale was and some of the comments, I'm assuming he had the __ in the application documents, he's __ to the Town several times so the ZBA, I mean the CAC in putting their __, so they should have had access to very clear and digestible information, the site plan is showing the drywells and the drywell locations, I can or I can have ___ from my office, we would then basically walk them through these plans but all the information is there, the deck, the foundation, the depth of the pool, the drywells, they are offering up as part of the pool construction, an automatic cover, if that's not mitigation, we need a better definition of mitigation, so there's some disconnect with what was provided in what the CAC was able to review, so I'm more than eager to meet with them at their next meeting cause I think it would help clarify a lot of the misconceptions; it seemed pretty clear but they didn't have the elevation; I can provide that; another concern, Jim mentioned the dewatering and the application says ten feet to groundwater so on the high side, if that's true then you're right there with the bottom of the pool, but that was a concern, the house, the distance to groundwater at the average of the grade of the property, at the house it is about thirteen feet, fourteen feet to groundwater __ and as we come down, at the southern part of the house you're probably about twelve feet to groundwater, about eleven feet to groundwater, the pool is about five feet above groundwater so we're not, keeping in mind that the patio __ above grade a little bit so ___ at grade and an eleven foot elevation, ___ and I provided a section which showed the foundation and the pool section with respect to groundwater, with the application, __ answer that question, it's something the CAC should be asking and it's good that they are but that information is there in the application package, I'm more than happy to work with them ___; Matt if I could ask one thing, the dock that's out there, there are a couple of boards missing, if someone could warn people not to walk out on that or replace those couple of boards that are missing; okay, that's all I have, thank you; Amber; I found the Planning Board on this, they visited the site on March 25th and they had three findings, the site plan accurately reflects the incursions into the seventy-five and one hundred foot setback lines, substantial mitigation measures are being proposed to mitigate runoff and introduction of nitrogen into surface waters, and three, the site currently has little natural wetlands vegetation, the proposed non-turf buffer and native vegetation will be an improvement over existing conditions, the Planning Board understands that the court directed site plan approval includes the proposed construction within the wetlands setbacks, the Planning Board therefore makes no further recommendations to the Town Board about this application, I'll send that to everybody; so Bob let me ask you this, if dewatering is part of the approval, what happens is they start digging and they have to dewater; they have to stop, there is nothing in the court order that prohibits us from putting on what we generally put on so if we say there should be no dewatering and it comes across after __, then they are instructed to stop, the dewatering is something that we ordinarily do, in fact it's done by statute; okay; if we have to worry about dewatering at the site, then that's not that big of a thing to worry about because we've got orders of what is designed to be __; okay, any other comments or questions from the Town Board, okay I'll open it up to the public, Mr. Kohn; yes okay, I apologize for interrupting earlier; that's alright; I am a property owner that's within two hundred feet of the property in question, I am chairman of the Tuthill Drive Neighbors Incorporated and I represent them here in my profession, also there are several signatories of property owners who are within two hundred feet adjacent to the Tuthill Drive, I wanted to tell you that on

the top line, that your hands are not tied, okay, neither __ or the Article 78 appeal or the ZBA ruling, __ in detail in a moment but I want to let you know, I'm a full time resident and I'm sorry Supervisor that we haven't had a chance to meet, I attended a number of meetings over the past year or so since I've been living here and I just moved here full time about three months ago, about the beginning of the year, but hopefully I will get a chance to meet you, I have used Matt Sherman who is really an excellent engineer, he does a great presentation, I admire what he does, but I'm not here to dispute anything that Matt said, I'm here to talk about process and the process that you're involved with and to answer your question that you said earlier, you know, ___ the process, I went to __ after I got the notice of the wetlands application, __ from the Town go on Monday, the woman was able to give me a copy of information on an eight and a half by eleven sheet of the survey which was highly illegible and I did not have any access to any of the slides that you just saw, the elevations et cetera because they were too big to be made copies of, __ access to the building, that's not the Town Board's fault or the government's fault, this is not the Shelter Island virus, this is the __ virus so I don't blame you for not providing access to that, but the fact of the matter is none of the adjacent property owners, the Tuthill Drive neighbors, have not seen what you have just seen which we were entitled to prior to this meeting, so the fact that I want you to be aware of, and I want to get a copy of the material __, the second thing is __ from the beginning, you say your hands are tied, your hands are not tied and let me explain why, as you know, ten years ago, I wasn't even living here at the time, I've got the stories from some of my neighbors but ten years ago and you can see it from some of the documents that there was an application for this property, it went through three amendments, all of which were noticed by the ZBA in which the neighbors had attended and the ZBA as you know, denied the application and then it went to court and appealed that application, that was you know ten years ago, eight or nine years ago went by and then the court has an opportunity to say okay the process the ZBA did was fine, okay, we're going to not overturn what they did or they could say we're gonna overturn what they did and they send it back to the ZBA and then the property owner would have the opportunity to take the plan that was existing at the time and move forward with it okay and it was denied because everybody in the community would have had a chance and everyone did, have a chance to oppose it and they were not successful and the court overturned it, what happened here was a little bit different, it was quite a bit different, the Town, I guess the Town Attorney, I spoke with Bob yesterday, he kindly called me and I asked him who attended the hearing to represent the Town and he said basically it was outside counsel that we hired, and he appeared at the end of the hearing, so essentially you have, the court order was based upon an agreed upon and agreement called a stipulation, the Town agreed with the __ as to what we could do and if you look at the ZBA approval, it says in here that __ the structure depicted in the survey dated, updated October eighteenth 2018 okay and on the site plan prepared by Matthew Sherman of Sherman Engineering dated August thirtieth 2019 okay, so there was a stipulation that would completely change the plan that the public has the opportunity to review back in 2011 which the ZBA denied, so in order to comply with the Code, what you need to do is send it back to the ZBA so the public can get notice of the changes so that we have the opportunity to go the ZBA, that didn't happen here, the ZBA simply said that somebody told the ZBA, you must __ the court, but that's not true and let me explain to you why that is not true, because if the law was that we had to accept what the stipulated judgment is, it is __ for public corruption, I'm not accusing anybody of any wrongdoing, I know you guys and everyone is terrific, especially the Town Attorney but at the end of the day, think of what could happen, a wealthy property owner on the water, he goes through a ten year process with the ZBA, gets denied after all the objections from all the neighbors, gets denied, files an appeal, then he works with the Town Attorney or someone on the Town Board, pays them off, comes to a stipulated settlement, it's agreed by the court cause the Court of Suffolk County knows nothing about ___, the judge issues the order, it comes back and guess what, no public notice because it didn't have to go to the ZBA, the ZBA was told to sign the document and it's all over with, as a matter of fact, the other problem here is that according to the letter that Lori Beard Raymond ___ the application, cause I only got this on Monday, she said in a letter dated November twentieth 2019, this is a month before the court stipulation was signed, she said at the very last sentence it should be noted that the proposed work is located on two separate tax lots, these lots will need to be merged as a single lot before a building permit can be used okay, so the Planning Board must be involved with their __ procedures in order to have the lots to be merged but guess what, I talked to the Town Attorney yesterday and Bob said to me oh no the court order said the lot was merged so now there's two sets of processes, the ZBA process and the Planning Board process which were circumvented by a meeting that nobody knew about, the Town Attorney and the property owner, I'm not accusing anybody of any wrongdoing here, if anything that the Town Attorney was probably saving you a lot of time by not having to deal with ___ Tuthill Drive Neighbors Association or the Ram Island Association who screamed bloody murder ten years ago but I'm telling you, that's not the way it is supposed to go,

so I'm saying to you that when the court order came back and it contained changes in 2018 and 2019, you've got to send that back to the ZBA and they have to provide thirty days notice, that's what the Code says, I'm not making this up okay, you must give us notice and the ZBA must then have the hearing, listen to us, look at the changes and make all of the determinations that the Code says they must look at in that process, now, in terms of that process, your hands are not tied, as a matter of fact, if your hands aren't, your hands are tied by the Code and you can't go forward with this wetlands process permit because the ZBA resolution is completely __ and you know, I'm an attorney, I'm retired, I moved here full time, I'm not doing anything, I lost my wife in September, I'm looking for something to do, I'm a copyright lawyer but I'm happy to learn Real Property Law too and it's not gonna cost the Tuthill Drive Neighbors __ or any of the neighbors around here to take any legal action if we had to, I'm not making a threat here but this could be kind of a fun project, it wouldn't be fun for you so I think the best thing to do is to send this thing back to the ZBA and let the process go, I'm not opposed to a property owner building a house on the property that, in the right dimensions, I wrote in my letter, and I talked to the local neighbors here about what they thought about the plans from years ago and the information they gave me was that the eighteen foot variance from Tuthill Drive is an after __ would create the shortest setback along that entire street of houses and there's a table that shows you the shortest setback, the Town landing remember is for people to drive up and put their boats in or a kayak, there are people that park there on the street, there is no consideration in this resolution here in terms of what the parking __, a twenty-five foot house that is seventeen feet from Tuthill Drive is gonna loom over that, all the houses along that road are at least a thousand feet smaller, okay, four thousand feet with the deck and the pool, the house on those two lots, it could be smaller and have a smaller footprint, the other thing, I want to make a very important point, I don't think the Planning Board would ever allow a merger, they didn't mention the merger in their letter that they got from me, I got an e-mail today from the Town Clerk who deals with the Planning Board and nobody ever applied to the Planning Board for the merger of those two lots, now, remember, the entire lot is only point six acre, you divide that in two, you've got point three acre, no one ever intended to put a house on something that small but those two pieces of lots were there for which is like one-tenth of an acre lot that I have and my neighbors have so that we can go out across the way to get to the water to enjoy the property across Tuthill Drive, that's what those two lots are for, they were never ever intended to be, to have a house on it, they are there for the person across the street with a massive house to use for his recreation, that's the bottom line and in terms of, I'll stop there, there's a few other things that I had a letter, in terms of an eighty foot long house and all the houses along the way, they are the charm of this beautiful stretch of Tuthill Drive _ and now all of a sudden you get a house that is eighty feet long with a deck, it's a four bedroom house and if you take a look at the size of the basement you've got, that could be the fifth bedroom, originally the plans I understand, someone told me it had an elevator, okay, there's no five bedrooms houses along Tuthill Drive, they are cottages there, there's two or three bedrooms at the tops, maybe there's four bedrooms in one but they must be much smaller, a smaller footprint for the house so this way way oversized for the lot, those lots were never intended to be merged together to put a house on, they are there for recreational purposes, it's right next to the Town landing, you don't put a house there, if I was asking for that permission, you would never give that permission to put that house next to the Town landing like that, alright, I've had my say, I apologize for; thank you, I have two questions, Bob, one for you, what exactly was the reversal on the Article 78, you know, what did they say we did wrong or what was the, you're muted; you're talking to the other Bob; I'm talking to Bob our Town Attorney, sorry; nobody has a copy of that stipulation by the way, in the court order, I haven't seen this part of the application, I think that should circulate too; I think the Board members have a copy of that; ___ today; what was the question; what was the reversal based on; ___ executive session __; okay; oh so that's my point, it's supposed to be a public process, I'm more concerned about the process than I am concerning the __; Mr. Chairman, this is John Wagner speaking, I am the attorney that represented the applicants in the Article 78; yes; proceeding that resulted in the court order in question, I can address whatever concerns you may have regarding that court order, I would like to make a brief statement about what Mr. Kohn has said, first of all I find it offensive that the word corruption was used, we're talking about a duly issued order that the Supreme Court of Suffolk County, to even suggest that there was some kind of corrupt situation going on here is reprehensive; I don't, I think he said the potential is there, I don't think it was addressed to this, and the process itself; I can tell you there is no potential there, I can tell you exactly what happened and let me just say this about all of Mr. Kohn's comments, he appears to be rearguing all of the arguments that were made before the Zoning Board long ago which resulted in the Zoning Board issuing a denial for this property, I was brought in at that point, I represented the applicant in challenging the Zoning Board's denial and __ record that we made by the way after several public hearings and with full public input, everybody got to say what they wanted to say and all of that

was considered by the court in the Article 78 proceeding and I can also tell you that I've been involved throughout the Article 78 proceeding that numerous conferences were held with the court and with the counsel representing the Town and the Zoning Board and myself and plans were studied and pros and cons were discussed and at the end of the day the court determined that number one, the decision of the Zoning Board was improper and why they annulled the decision, this goes back to Spring of last year and also directed that the application not only be, that the decision not only be annulled but remanded the entire application to the Zoning Board with directions to approve it; so there you go; and specifically with directions to approve it subject to __ conditions that were specified in the order so that's what happened, it went back to the Zoning Board and the Zoning Board approved it, consistent with the court's order and that was done back in January twenty-second, it was duly issued by the Zoning Board I understand it was duly filed, at this point while we're before your Board successfully, we're here on a wetlands permit, anything having to do with the Zoning Board application is water under the bridge at this point and we're pretty much, that's the position we're in, the court has spoken, the Zoning Board has spoken, now we're before your Board with regard to the wetlands permit which has been presented by Mr. Sherman and this is what's before your Board at this time, I wish that we could confine our proceedings to that and not dig up all those that were part of a court proceeding that went on for ten years, I know Mr. Kohn was not involved in that but I can tell you it was a very long and thorough process and it resulted in a duly issued order of the court which is there and which we're acting pursuant of; Mr. Supervisor Siller; yes; if I can respond to that, you know how these things work, essentially the parties, the Town Attorney and the representative of the Town Attorney as well as the gentleman that just spoke on behalf of the property owner did a stipulation and they give that to the judge and the judge signed it, that's how these things work, the judge doesn't get involved in the details of all this, these are things that are put together as an agreement, if someone comes to a judge and both sides say look we've got a stipulation for you judge, he's gonna sign that order, this wasn't the judge telling the Town what to do, the judge has no, nothing, this is being misrepresented, the judge doesn't know anything about what's going on; Mr. Kohn you are in no position to say what is being misrepresented, you were not there, you were not a party to the proceedings, you have no idea what was discussed with the court; that's my point, that's my point what was discussed; __; none of this __ Town Attorney; that is the problem, the Zoning Board, okay, so you are saying that the Zoning Board is out of it, the planning commission or Planning Board is out of it, the Town Board is out of it, the neighbors are out of it because you had a conversation with a judge with some other outside counsel, that's not how this works; I actually, the judge has issued an order, you understand that courts issue orders and we __; and orders get appealed and overturned all the time; __; ___ ; this order was not appealed ___; alright, rather than go back and forth, let's; the judge cannot issue an order that is in counter venture of a law, the Town law is, you must provide notice on each amendment to a plan; well I respectfully disagree with you Mr. Kohn, but perhaps you should study up a little more on this area of law; alright; I've been doing it for over thirty years; I have a question for Mike Bebon, Mike, we've been discussing in your Water Advisory Committee, house sizes and availability of water, was that something that we should be concerned with here; I don't think in terms of the wetlands application; okay, alright, anybody else have anything else to say, we're not gonna close the hearing, okay go ahead Mike, Albert I'm sorry; the __ with the merger of the two lots, __; Bob DeStefano; I'm sorry, can I just ask him to repeat himself, the Zoom was kind of garbled; the merger, I'm asking about the merger of the two lots, really should take place before this current __; there's two ways ___ a condition of the permit; it just seems to me that that should have taken place; let me say real quick on that, so up until recently these two lots were merged by operation of law, __ completely so when the Town Board a few years ago went back in and reversed that operation of law, the merger of these two properties __ with the Building Department, so it's not a problem, but that's what happened on previous application and it will happen with other application prior to getting a building permit issued; I can answer that, it's not unusual for a Board, be it a Zoning Board or a Planning Board and this Board to include as a condition of any approval that there be a merger and I would also point out that that does not require Planning Board approval to do that, it can be done by deed and also __ this has been one parcel for a long time, it was a critical factor in the lawsuit is that this parcel, both of those pre-existing tax parcels have been treated as one single building lot and have been taxed as a buildable parcel for many, many years so as I say again, you could make a condition that it be a __ merge ___; I think with other wetlands applications that we have asked for water usage, the number of bathrooms put in and the water usage for the appliances put in, you know Matt, you're familiar with that; absolutely; I think that __, you know, considering the size of the house gosh with the lot; we can get _ house quick and easy, we typically deal with at some point, with the wetlands permit, ___, I can have that to you by the time ___; my, as I said we're not gonna close the hearing, we'll recess the hearing but I think we need, obviously we need to put it on, is Tuesday

too soon to put it on the agenda for the work session or; I would think so Gerry, give it a little bit more time, my concern is that ___ it must have been but we need to see that to make sure that they were merged and the other thing is about the process, my question was when the ZBA met, was there public notice, was there a thirty day notice that went out to people, they had a right to attend that meeting, I think process is important but again I would hope that __, we are a pretty reputable group of people and we need not to get personal here at all, when we start to, I'm meeting you for the first time and I respect you and I'm very sorry for the loss of your wife, you said this is not a threat and it would be fun to do; I appreciate that and I apologize for that, you are absolutely correct; ___ a little bit of a threat, I'm more concerned that we follow process and we do the right things, I don't have a, I don't feel one way or the other on this, I think that the Town Board is committed to one thing, do the right thing and it may take us a couple of weeks to __ and get our ducks in a row but I think we are committed to doing the right thing and the lot merger should be taken care of and have documentation; okay so what I would suggest is we put it on the agenda for a week from Tuesday, we'll get the Zoning Board involved, we'll get the CAC involved and we'll get the parties involved and we'll discuss it together and hopefully we can come up with some kind of an agreement so we'll move forward, alright everybody; thank you very much; alright so we're gonna recess that hearing okay; thank you Mr. Wagner too.

The Supervisor recessed the public hearing at 5:50 p. m. and called to order the public hearing to be held as advertised on the application of Tom Field to install a stake, mooring and pulley system in West Neck Creek at a location north of the Simpson Road Town landing.

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 earlier on this, I think we thought that this might have been a mooring that was no longer in use but upon further examination, I think that although that mooring might not have been in use recently, it was still owned and occupied by somebody so therefore the committee put this on hold; so how do they find out what the standing is; this was the W-0290 dock and I think the mooring is still active, I forgot who still owns that mooring but it's something we should look into; Art Springer owns the mooring; that was it, yes Artie Springer owns that; he recently renewed it as well, he's had it for thirty years or so; okay; so we're gonna deny that or recess it; if he's put in for it Gerry and he's been using it, it's not available, so we're not opposed to trying to find something for Tom in the area but that one is not available right now; okay, so Dottie do you want to close that hearing; either way, whatever you want to do; if we recess it and try to accommodate him rather than just start from scratch; right; alright let's do that, let's recess this, okay.

The Supervisor recessed the public hearing at 5:52 p. m. and called to order the public hearing to be held as advertised on the application of William Cummings and Bernt Hieberg Svenby, 16 Margaret's Drive, for permission to remove existing ramp and floating dock, install new 3' by 20' ramp and 6' by 30' floating dock placed in an "L" configuration in West Neck Creek.

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

Correspondence included the following:

1. A letter from Jane Costello of Costello Marine making the alterations as requested by the Waterways Management Advisory Council.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: they didn't have all the information and Costello said that he would superimpose the new dock on top of the existing just to be able to see, we required two and a half feet of water at a minimum for the float, but there were some questions about this, I put that information out at around noon today when I received it, or maybe a little earlier than that but all the WMAC members and as of four o'clock when, you know four fifteen and I only heard back from two people, James Eklund had no problem and the Chairman had no problem with it at that point but since there are seven members on that committee, if I had gotten two more members to __ with it, I would say that we could go forward but I only got two people and I did not hear from the others yet, that's kind of short notice; yeah; I tried to get them to respond before four o'clock but it didn't work out that way and we spent a lot of time on this the other night and jumping back and forth on this and I believe it is currently a seventy-six foot dock and we talked about, by the way, Mr. Costello said they were removing several piles and reducing the non-conformity but they had some

but they had some issues raised about the non-conformity so until I've heard back from the entire committee, we could do this at a special meeting after we've heard back from them; as long as Jack is here, Jack do you want to speak to us or; yeah well I did everything that the committee wanted me to do, I removed the piles, I showed that the dock is gonna move further inshore, everything they requested of me, I did, like Jim said, it was at the last __, it was kind of a rush thing cause the meeting was on Monday __ southern piles but if you could handle it in a special session, that would be appreciated, I understand the point that she can't move forward with only two boats coming in the waterway; sure; we're sympathetic to that, when we hear back, no problem; Jim we can put that on for Tuesday; yes; Jack, the application said that the applicant had a forty foot boat that they were looking at to tie up at on the outside of that float; whatever, a forty, a thirty-six or whatever it is, to tie it up on the outside, the dock is actually moving in four feet, if he ties alongside the dock, the stern of the boat is gonna hang out further, that was the point I was trying to make, to move the dock in to tie up, it's got a twelve foot beam, so it's gonna be, the way we had it set up, it's gonna be less intrusive in the waterway and there's no issue there as far as intruding in the waterway; what is the beam on that boat, do you know; I would guess about twelve feet; I just felt that if the Town Board members that it is a narrow neck in West Neck Creek where the location, where the dock is located and the distance between the shorelines is two hundred and sixty-five feet, the Dock Law is restricted to fifteen percent of that width to the opposite shoreline which would allow the dock to extend just under forty feet, just an issue that we can address if we talk about it further unless you want to speak to the __; it is an issue, it is a consideration, it's not according to Code but also __ the dock is __ side of that, even with the boat on the outside, it would not be intrusive on that waterway and like I say, where the natural channel is, is well off-shore of the property, so it's not really ___; okay so we'll recess this until Tuesday and Jim you will try to get in touch with the rest of the committee; yes; Jack thank you very much; take care; so we'll recess that hearing.

The Supervisor declared the public hearing recessed at 5:56 p. m. and reconvened the recessed public hearing to be held as advertised on the application of Stuart Coleman and Meryl Rosofsky seeking permission to maintain a pre-existing 165 square foot shed constructed without a building permit.

The Supervisor reported that this wetlands application had been discussed at the work session and everyone agreed that the Board would go forward with it; absolutely, even the neighbors approve.

The Supervisor declared the public hearing closed at 5:59 p. m. and reconvened the recessed public hearing on the application of Congdon's Point, LLC for a wetlands permit on the proposed project for the construction of new deck with stairs attached to the house, two new storage sheds and reconstruction of a catwalk over wetlands.

The Supervisor reported that the Town Board had discussed this application at the work session and that the Board did have some issues with 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 think that everybody voiced their concern on two things, the kayak rack, not wanting them in the wetlands area, and the patio behind the garage and building, that has been removed from the application; we have Craig's voice from the CAC; we're in the process of adding racks to some of our shorefront location, I'm not really sure what their objection is; I think the objection was the way they were located in the wetlands and; it was in the grass itself; yes; when that was disturbed, they moved; __ the Town doing the same thing; it was how it was located; okay; my only concern Gerry with it is that if we eliminate the rack, then they move the kayaks down and __ , it's not a very big area, it gets disassembled so you don't see it for several months a year, it does involve carrying those kayaks back and forth across that walkway and I'm not sure whether that's __, that walkway, I have mixed emotions about; I know you do, I understand what you are saying, the shed definitely bothered me and I could understand __, I don't know how you felt about the racks but I don't __ about carrying those kayaks back and forth across that walkway, __ and the tide comes in and it does more damage than if they were on a rack but I don't care one way or another; Albert; there was a one-time exemption back in what was it, 2012, wetlands exemption when they had their original application, the homeowner put in the shed and the kayak rack, they removed the shed, in 2019 the Building Inspector went to the site and cited them, gave them a notice to remove the shed and the kayak rack, they removed the shed and kayak rack and installed the two steel racks in the sand, they can be removed but the foundation is in the sand,

just to me, that is a defiant move, they just ignored the Building Department, one of our Building Inspectors, unless you remember, this is basically a commercial venture as well, they have somebody that watches the property, after the tenant leaves, then polices the area to maintain the property; and then again we have the recommendations of the CAC and the Planning Board, Amber; I just wanted to add, we're trying to protect the wetlands so __ the grasses and ___ but that area the grasses were being cut in order to accommodate the steel frames so we're damaging the wetlands with it still being there so that was my objection to it; Bob you had your hand up; oh no, I was just __ my head; anybody else; I was just gonna say I'm kind of aligned with Albert, I mean, we __ to move it, they apparently did not have a permit for it to be there in the first place and now without any process, we're allowing the construction for a rack back in the wetlands, it would seem to me that they would have a recourse if we denied, to come back and request a wetlands permit to put that rack in.

The Supervisor declared the public hearing closed at 6:04 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 226

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

"Whereas", applicant Congdon's Point, LLC proposes significant construction within vegetative buffer and adjacent regulated area at 34A North Cartwright Road, Shelter Island, New York and Zone C-Residential (Near Shore and Peninsular Overlay District) and bearing SCTM #0700/16/01/6.2 (the "Premises"); and

"Whereas", the proposed project entails the construction of new deck with stairs attached to the house, 2 new storage sheds and reconstruction of a catwalk over wetlands; and

"Whereas", the 119 sq ft deck and steps attached to the house is proposed to be located varying 60'-5" to 85'-1" from the edge of the wetlands boundary, and the two 5' x 6' storage sheds are proposed 30' from the Coecles Inlet high water mark (distance to flagged wetlands is not noted). The reconstruction of the existing wood catwalk over wetlands area is proposed to be reconstructed 76' long x 3.5' wide; and

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

"Whereas"**,** the NYSDEC issued permit No. 1-4732-00241/00006 on June 7, 2019 for the proposed activity; and

"Whereas", wetlands permits were issued in July 2013 and again in March of 2015 to renovate and expand a pre-existing non-conforming single-family residence, demolish and rebuild an existing garage, and add walled terraces and a patio partially within a vegetation buffer; the 2015 expansion included the addition of a wraparound porch and gazebo, and adding 240 sq ft to the patio; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on January 2, 2020, and

"Whereas", the applicant has withdrawn that part of the application seeking an expansion of the deck and construction of 2 sheds and now seeks only to replace the catwalk; 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 as the development of the lot is being shifted approximately 16' landward of its current position; 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. The property has been extensively improved; and
3. This property is advertised as a luxury rental home; and
4. Although previously ordered to remove a wooden kayak rack from the wetlands, the rack has been replaced with a metal rack; and
5. The one-time 100 sq. ft. exemption has already been used with the installation of a generator and associated propane tank; and
6. The original pre-existing structures intruded 6,746 square feet into a regulated area. The 2015 expansion increased the intrusion to 8,106 square feet. The newly proposed activity will

increase the intrusion to 8,179 square feet. The current peninsular property is 75,201 square feet, or 1.7 acres; and

7. The wetlands permit issued by the Town Board on March 30, 2015 finds that "the project has reached the maximum development capacity allowable on a relatively fragile site and advises the applicant that it cannot reasonably expect approval for further expansion . . . "; and

BE IT FURTHER RESOLVED, That a wetlands permit to construct above described walkway only at the Premises is hereby granted, subject to the following conditions:

1. Applicant is to remove the kayak rack from the wetlands prior to the issuance of any building permit; and
2. The above-described project shall be constructed as depicted on the site plan dated February 2, 2019 last updated September 18, 2019; and
3. Dry wells shall be located outside of the vegetative buffer; 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. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
8. Construction materials and equipment shall be staged outside the regulated area; and
9. Parking of all construction and delivery vehicles shall be on premises; and
10. No public street or public or private right-of-way may be obstructed or impaired during construction; and
11. Applicant must repair any damage to any adjacent road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
12. 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
13. Prior to issuance of a wetland 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
14. This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That in all other respects, this application is denied upon a finding that such alterations represent an undue intrusion into the wetlands; 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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 227

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

"Whereas", applicants Stuart Coleman and Meryl Rosofsky propose the ratification of significant construction within adjacent regulated area at 31B Dickerson Drive, Shelter Island, New York and Zone C-Residential (Near Shore and Peninsular Overlay District) and bearing SCTM #0700/22/2/22.2 (the "Premises"); and

"Whereas", the applicant seeks to maintain a pre-existing 165 square foot shed constructed without a building permit wholly within the adjacent regulated area 75 feet from the wetlands boundary based upon a survey conducted by Nathan Taft Corwin on June 29, 2019; 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 No.1-4732-00623/00003 on December 26, 2019 for the proposed activity; and

"Whereas", the Zoning Board of Appeals approved the applicants' application for zoning relief on September 25, 2019; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on April 17, 2020, 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 as the development of the lot is being shifted approximately 16' landward of its current position; 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 which unanimously recommended approval; and

BE IT FURTHER RESOLVED, That a wetlands permit to ratify the construction of 165 square foot shed 75 feet from the wetlands boundary at the Premises is hereby granted, subject to the following condition:

1. There shall be no further expansion of the shed into the wetlands; 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

The resolution was thereupon declared duly adopted.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 6:16 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

May 19, 2020

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 19th day of May, 2020. 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 ten persons were present.

This meeting was conducted by ZOOM.

The Supervisor polled the Town Board members to agree to waive notice of 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 Supervisor called the special meeting to order at 3:12 p. m.

RESOLUTION NO. 228

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 Hazen and Sawyer, 498 Seventh Avenue, 11th Floor, New York, New York 10018 to provide professional services concerning the Project known

as Evaluation of Alternatives for Reuse of the Effluent from the Shelter Island Heights Property Owner's Sewage Treatment Plant.

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

The resolution was thereupon declared duly adopted.

Upon motion of Supervisor Siller and seconded by Councilman Colligan, the special meeting was adjourned at 3:15 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

May 29, 2020

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 29th day of May, 2020. 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 twenty-three persons were also present.

This meeting is being held on Zoom.

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

Salute to flag.

Correspondence included the following:

1. A letter from the Chamber of Commerce requesting permission to hang their banner for the 57th Art Show and Craft Fair.

The Supervisor made the following announcement:

This is the May 29, 2020 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:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
JANUARY, 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	3,370,810.61	3,797,745.64	990,542.86	6,178,013.39	806,673.33
Hwy Checking	473,798.30	1,812,386.83	249,307.52	2,036,877.61	
T&A Checkng	498,380.37	13,263,773.10	12,656,146.57	1,106,006.90	10,475.03
T&A Savings	12,234.30	0.31	0.00	12,234.61	
Hwy Cap Res	416,076.93	9.77	112,132.00	303,954.70	
WNW Supply	16,401.38	1,935.17	2,156.69	16,179.86	153,648.05
Taylor's Island	44,069.24	16.83	0.00	44,086.07	
Comm Preserv	2,290,792.25	2,299,582.49	224.29	4,590,150.45	5,881,077.58
Waterways	298,274.29	5,066.92	24,844.50	278,496.71	
Reserve Fund	2,286,601.41	0.00	0.00	2,286,601.41	
Bridge St. Esc	0.00	0.00	0.00	0.00	369,875.85
Environmental	0.00	0.00	0.00	0.00	5.656.47
FIT Ctr Reserv	20,045.25	0.00	0.00	20,045.25	
Ambul. Reserv	216,627.09	18.33	0.00	216,645.42	
Ambul. Train	24,472.43	0.62	0.00	24,473.05	
TOTALS	9,968,583.85	21,180,536.01	14,035,354.43	17,113,765.43	7,227,406.31

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
FEBRUARY 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	6,178,013.39	539,817.29	608,520.17	6,109,310.51	807,623.54
Hwy Checkng	2,036,877.61	5,427.74	191,062.98	1,851,242.37	
T&A Checkng	1,106,006.90	350,490.41	874,438.45	582,058.86	10,487.38
T&A Savings	12,234.61	0.28	0.00	12,234.89	
Hwy Cap Res	303,954.70	7.00	0.00	303,961.70	
WNW Supply	16,179.86	10,326.56	1,096.13	25,410.29	153,829.05
Taylor's Island	44,086.07	15.75	0.00	44,101.82	
Comm Preserv	4,590,150.45	82,136.09	2,005,932.60	2,666,353.94	5,888,004.66
Waterways	278,496.71	4,633.00	0.00	283,129.71	
Reserve Fund	2,286,601.41	0.00	0.00	2,286,601.41	
Bridge St Esc	0.00	0.00	0.00	0.00	370,311.53
Environmental	0.00	0.00	0.00	0.00	5,663.14
FIT Ctr Reserv	20,045.25	0.00	0.00	20,045.25	
Ambul. Reserv	216,645.42	86,022.79	0.00	302,668.21	
Ambul. Train	24,473.05	0.56	0.00	24,473.61	
TOTALS	17,113,765.43	1,078.877.47	3,681,050.33	14,511,592.57	7,235,919.30

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
MARCH 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	6,109,310.51	460,752.89	1,244,439.97	5,325,623.43	808,402.08
Hwy Checking	1,851,242.37	52,346.51	107,352.33	2,268,236.55	
T&AChecking	582,058.86	201,417.58	265,483.61	517,992.83	10,497.50
T&A Savings	12,234.89	0.32	0.00	12,235.21	
Hwy Cap Res	303,961.70	22,508.27	0.00	326,469.97	
WNW Supply	25,410.29	4,851.83	9,175.27	21,086.85	153,977.34
Taylor's Island	44,101.82	6.21	0.00	44,108.03	
Comm Preserv	2,666,353.94	260.87	2,092,124.90	574,489.91	5,893,680.62
Waterways	283,129.71	3,973.99	0.00	287,103.10	
Reserve Fund	2,286,601.41	0.00	0.00	2,286,601.41	
Bridge St Escr	0.00	0.00	0.00	0.00	370,668.50
Environmental	0.00	0.00	0.00	0.00	5,668.61
FIT Ctr reserv	20,045.25	0.00	0.00	20,045.25	
Ambulance Re	302,668.21	15.94	0.00	302,684.15	
Ambul Train	24,473.61	0.64	0.00	24,474.25	
TOTALS	14,511,592.57	1,218,134.45	3,718,576.08	12,011,150.94	7,242,894.65

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
APRIL 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	5,325,623.43	340,672.62	779,819.95	4,886,476.10	808,831.88
Hwy Checkng	2,268,236.55	3,542.25	91,217.31	2,180,561.49	
T&A Checkng	517,992.83	202,536.00	194,459.34	526,069.49	10,503.09
T&A Savings	12,235.21	0.30	0.00	12,235.51	
Hwy Cap Res	326,469.97	8.05	0.00	326,478.02	
WNW Supply	21,086.85	2,110.94	304.19	22,893.60	154,059.20
Taylor's Island	44,108.03	1.80	0.00	44,109.83	
Comm Preserv	574,489.91	332,760.60	16,714.84	890,535.67	5,896,814.20
Waterways	287,103.10	2,350.00	0.00	289,453.10	
Reserve Fund	2,286,601.41	0.00	0.00	2,286,601.41	
Bridge St Escr	0.00	0.00	0.00	0.00	370,865.59
Enviromental	0.00	0.00	0.00	0.00	5,671.62
FIT Ctr Res	20,045.25	0.00	0.00	20,045.25	
Ambul. Reserv	302,684.15	2.28	70,300.00	232,386.43	
Ambul. Train	24,474.25	0.60	0.00	24,474.85	
TOTALS	12,011,150.94	883,985.44	1,152,815.63	11,742,320.75	7,246,745.58

RESOLUTION NO. 229

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

"Whereas", Virginia T. Brooks, 10 Fred's Lane, has petitioned the Town of Shelter Island for permission to relocate mooring number W-1612 from a location designated as latitude 41.05583° north and 72.35485° west to a location designated as latitude 41.056044° north and longitude 72.355350° west in West Neck Creek, 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 19th day of June, 2020, 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 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. 230

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

"Whereas", Adam Ronzoni, 37A Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as 41.03236° north and 72.21283° 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 19th day of June, 2020, 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. 231

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

"Whereas", Richard Relyea, 38 Little Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor approximately 150' southeast of the Slater (C3518) mooring and 170' off the beach at second causeway, 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 19th day of June, 2020, 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. 232

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

BE IT RESOLVED, That Susan Binder is hereby appointed to serve as a member of the Recreation Commission for a term to expire on August 7, 2027.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 233

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

IT RESOLVED, That Giovanna Ketcham is hereby appointed to serve as a member of the Recreation Commission for a term to expire on August 7, 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. 234

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

"Whereas", the term of Scott R. Campbell as a member of the Deer and Tick Committee will expire on June 20, 2020, and

"Whereas", Scott R. Campbell has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Scott R. Campbell is hereby reappointed to serve as a member of the Deer and Tick Committee for a term to expire on June 24, 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. 235

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

BE IT RESOLVED, That Cocoa Lee Thuman is hereby appointed to serve as Provisional Assessment Clerk, retroactive to May 23, 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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 from the Shelter Island Ambulance Foundation, Inc. in the amount of $2,600.00 for the purchase of EMS epipens to the 2020 A4540.478 Ambulance medical supplies account, the reimbursement check from the Shelter Island Fire District in the amount of $900.00 for hazmat disposal to the 2020 A8160.434 Landfill hazardous waste carting fees account, the reimbursement check from Essco Distributors, Inc. for the 2019 return of tickicide to the A2701 refund from prior years account, and the check from the Shelter Island Chamber of Commerce, Inc. in the amount of $400.00 for the preservation map to the Community Preservation 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. 237

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 $2,100.00 from the A 3120.491 Police Department contracts account to Vigilant Solutions, LLC 1152 Stealth Street, Livermore, CA 94551, for a one year renewal on the License Plate reader for the Police Department for the term July 2020 through June 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. 238

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 $2,000.00 from the 2020 A3120.491 Police Department contracts account to Superior Technology Group LLC, 245 Ash Circle, Sartell, MN 56377 for ten subscriptions for the iCrime-Fighter Enterprise and ICrimeFighter.com.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 239

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

"Whereas", on March 27, 2020, the Town Board approved the issuance of an Outdoor Assembly permit to the Shelter Island Historical Society for their annual car show on June 27, 2020, and

"Whereas", the Historical Society has canceled the car show due to Corona Virus, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $200.00 to the Shelter Island Historical Society.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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; 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 2020, 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 $150.00.

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. 241

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

"Whereas", pursuant to Town Code Section 36-14.2, the Crows 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 2020 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 the northern end of Shore Road at Crescent Beach through Labor Day weekend 2020 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 $150.00; and

BE IT FURTHER RESOLVED, That this license is being granted with the understanding that Sunset Beach Restaurant will not be opening in 2020, and that the granting of this license for 2020 shall not entitle the licensee to any right of renewal in subsequent 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. 242

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

"Whereas", Edward Hindin 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 148 D North Ferry 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 $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 a conditional rebate of up to $15,000.00 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. 243

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 $195.00 from the 2020 A1620.483 buildings telephone account to Telenet NY, Inc., 115 North Richmond Avenue, Suite 1, Massapequa, New York 11758-3439, for the program, record and instruction concerning mailboxes.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,500.00 from the 2020 A3120.491 Police Department contracts account to All Traffic Solutions, 12950 Worldgate Drive, Suite 310, Herndon, VA 20170 for the Police Department mobile traffic sign reporting, alerts and mapping.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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 $3,900.00 from the A1620.476 buildings computer services account to MainStreetGIS,

LLC, P. O. Box 1331, Northampton, MA 01061 for a one year agreement for the provision of Web GIS hosting for the term June 1, 2020 through May 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. 246

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 pay the taxes due on property owned by Sandra D. O'Connor, Linda O. Casertano and Russell O'Connor, for property located at 4 Nostrand Parkway, Shelter Island, and designated as SCTM 0700-017-01-030 in the amount of $1,851.30, and property owned by Peconic Land Trust, Inc. for property located at Ned's Lane, Shelter Island, in the amount of $2,401.08 and designated as SCTM 0700-014-02-061.3, 061.4, 061.5, 061.6, and 061.8; said amounts to be paid from the A1010.484 Town Board 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. 247

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

"Whereas", the Town Board has determined that it is in the public interest to have certain departments of the Town provided with the ability to accept credit cards as a means of payments of fees to the Town, now, Therefore

BE IT RESOLVED, That pursuant to Section 5 of the General Municipal Law, the Town Board hereby authorizes the Supervisor to enter into agreements with certain financing agencies to provide for same, and

BE IT FURTHER RESOLVED, That the following departments are hereby authorized to accept said credit card transactions including those taken in person or by electronic means:

Recreation Department
Town Clerk's Office
Police Department
Building Department, and
Highway Department/Landfill.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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

BE IT RESOLVED, That pursuant to Town Board Resolution Number 95 dated January 27, 2017, the Town Board established the issuance of day passes annually for Wade's Beach and Shell Beach, and

"Whereas", The Town Board has determined that due to the Corona Virus pandemic, it is in the best interest to cancel the issuance of said permits for 2020, and no day passes will be issued during the year 2020, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby notified to NOT issue any day passes for Wade's Beach and Shell Beach for the 2020 season.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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 license agreement between the Town of Shelter Island and the Shelter Island Municipal Golf Course, Inc. to operate a golf course, for a term of ten years commencing on January 1, 2020, through December 31, 2029.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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 lease and use agreement between the Town of Shelter Island and the Shelter Island Presbyterian Church to rent to the Town the use of portions of the premises located at 32 North Ferry Road which consist of the kitchen, Fellowship Hall, restrooms and storage rooms, for a term of five years commencing on January 1, 2020, through December 31, 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. 251

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

BE IT RESOLVED, That the Town Board does hereby approve the proposed draft for the Project Management Plan for the updating of the Comprehensive Plan.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 Bebon offered the following resolution, which was seconded by Councilman Dickson, to wit:

"Whereas", Great Peconic Race, Inc. has made a very generous donation in the amount of $2,500.00 to be used for improvements to the Wade's Beach bathhouse, and

"Whereas", the Town has received grant proceeds from the Department of Justice for police bullet proof vests in the amount of $1,596.00, and

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

BE IT RESOLVED, That the Town of Shelter Island sincerely thanks the Great Peconic Race, Inc. for their very generous donation, and

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

$2,500.00 increase to the 2020 A2705W Wade's Beach donations revenue account, to be funded by the donation received from Great Peconic Race, Inc., and

$2,500.00 increase to the 2020 A1490.409 Public Works beaches and parks expense account, and

$1,596.00 increase to the 2020 A4389 Federal Reimbursement Public Safety – Other revenue account, to be funded by the grant proceeds from the Department of Justice, and

$1,596.00 increase to the A3120.487-9 Police Department part time uniforms 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. 253

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

"Whereas", The Town of Shelter Island wishes to alleviate congestion due to parking on Bootlegger's Alley and assure access for emergency vehicles; now, Therefore

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 19th day of June, 2020, 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 Parking Requirements for Bootlegger's Alley, to wit:

Section 1. Chapter 126, Section 126-8 of the Shelter Island Town Code shall be amended by adding the following subsection:

(III) Bootleggers Alley

1. There shall be no parking at any time on the northwest side of Bootlegger's Alley across from the end of Peconic Avenue running west (seaward) one hundred twenty (120) feet to the beachfront which shall be indicated with appropriate signage; and
2. There shall be no parking within six (6) feet of any driveway or intersection on Bootlegger's Alley; and
3. All motor vehicles or motorcycles parking along the waterfront on Bootlegger's Alley and on the southern side of Bootlegger's Alley from the beachfront running east (landward) for four hundred fifty (450) feet to an unnamed street shall display a parking permit, which will be issued by the Town Clerk pursuant to Chapter **36** of the Code of the Town of Shelter Island.
4. Said parking permit shall be displayed on the rear bumper of a motor vehicle or the rear mudguard of a motorcycle.
5. There shall be no double parking anywhere on Bootleggers Alley; and

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. 254

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

BE IT RESOLVED, That 2020 general claims numbered 652 through 750 in the amount of $87,670.26, 2020 highway claims numbered 78 through 90 in the amount of $125,672.09, and 2020 West Neck Water claims numbered 12 through 14 in the amount of $4,614.88 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 4:55 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of No Name Road, LLC, Richard Levine, 47A South Ferry Road, for permission to construct a 4' by 110' fixed dock extending 100' seaward of mean high water line, install two 10" diameter mooring piling and aluminum ladder, 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 Alessandro Cocco supporting the application of Richard Levine for a dock.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the WMAC met on the fifth to discuss this, by a vote of six to zero, it was unanimously approved.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I'm just here to answer any questions.

The Supervisor declared the public hearing closed at 4:57 p. m. and called to order the public hearing to be held as advertised on the application of Barbara D. Horgan Revocable Trust & Frances H. Herschkowitz, 75 Ram Island Drive, for permission to remove 100' of existing face bulkhead and 9' west return, and construct 100' of new face bulkhead and 9' west return 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: same situation, met on May 5th, replacing a bulkhead in place, by a vote of six to zero, unanimously this was approved.

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 at 4:59 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled Revised St. Gabriel's Meadow Preserve Stewardship Plan.

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

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:01 p. m. and called to order the recessed public hearing to be held as advertised on the application of Tom Field for permission to install a stake, mooring and pulley system in West Neck Creek at a location north of the Simpson Road Town landing.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: Gerry, we're meeting on this coming Monday, June first and that's on the agenda, obviously the mooring and the location of that pulley have been occupied by another resident for over thirty years and not even used possibly for the last year but it is in use, we're gonna try to find him a new one but there was some concern amongst the committee about the number of moorings that have been assigned to Tom Field, I'm sure that we can clarify it all at that meeting but the number of commercial versus private moorings, it gets a little confusing.

The Supervisor declared the public hearing recessed at 5:03 p. m. and called to order the recessed public hearing to be held as advertised on the application of William Cummings and Bernt Hieberg Svenby, for permission to remove existing ramp and floating dock, install new 3' by 20' ramp and 6' by 30' floating dock placed in an "L" configuration in West Neck Creek.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: Jack, the two things I kept hearing from the committee, is there any luck on getting a hardship letter, number one, can we get a hardship letter or no; yes; alright and is there any possibility that the dock can be moved toward the land a little bit more; I still maintain that it is very close on the southeast corner __ contour line, it is really, really close; alright, that's the only two concerns, I think you have __ , but they did ask so on that Monday, June 1st, if you could send to John Needham or to Dottie a hardship letter and some good explanation on that southeast corner of how much you could do and __ but if you can't, just be honest and straightforward and say it like it is, so let's take care of that on ___ and I think we should have no problem with that; thank you Jim.

The Supervisor declared the public hearing recessed at 5:05 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 255

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

"Whereas", No Name Road, LLC, 47A South Ferry Road, has petitioned the Town of Shelter Island for permission to construct a 4' by 110' fixed dock extending 100' seaward of mean high water line, install two 10" diameter mooring piling and aluminum ladder in Coecles Harbor, and

"Whereas", a public hearing was duly held on the 29th day of May, 2020, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 Colligan offered the following resolution, which was seconded by Supervisor Siller, to wit:

"Whereas", Barbara D. Horgan Revocable Trust & Frances H. Herschkowitz, 75 Ram Island Drive, have petitioned the Town of Shelter Island for permission to remove 100' of existing face bulkhead and 9' west return, and construct 100' of new face bulkhead and 9' west return inplace, and

"Whereas", a public hearing was duly held on the 29th day of May, 2020, 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 face 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. 257

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

"Whereas", a public hearing was duly held on the 29th day of May, 2020, on the following proposed Local Law entitled Revised St. Gabriel's Meadow Preserve Stewardship Plan, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 2 - 2020, entitled **ST. GABRIEL'S MEADOW PRESERVE REVISED STEWARDSHIP MANAGEMENT PLAN,** is hereby adopted, to wit:

Introduction

This 7.90 acre parcel is located at 38 Burns Road, SCTM# 700.15-4-145.1. The Town of Shelter Island (with Community Preservation Fund money) and Suffolk County each acquired undivided 50% interests in the property on March 22, 2004, from the Passionist Monastery of Our Lady of the Isle. On September 19, 2010, the Town adopted a stewardship plan for the property in Section 5 of Local Law No. 12 - 2010. The Town desires to revise that document to eliminate the split-rail fence, provide provisions for the area along its southerly boundary and incorporate provisions common to plan features adopted since 2010.

The parcel is bounded on the north by Burns Road, on the east by the Pandion development (formerly the Passionist Monastery), on the south by property of New York State and 36 North Cartwright Road, and on the west by 38 North Cartwright Road and North Cartwright Road.

The property consists principally of a mowed grassy open field or meadow, with several mature maple trees along Burns Road, a row of twelve young tulip trees planted in 2018 by the Shelter Island Friends of Trees in the meadow about 12 feet south of Burns Road, a row of ten mature cedar trees towards the southerly side of the meadow and, just north of the southern boundary, a mix of trees, shrubs and high grass. The NY State property on the south side is a 17-ft. wide strip with a one-lane paved road (SCTM# 700.15-4-119); the NYS Department of Environmental Protection (DEC) manages the strip and adjacent NY State property.

Intentions

To use the premises as passive parkland. To preserve natural features, including but not limited to rare plants, habitats, trees, shrubs and other vegetation. To maintain and preserve the spirit of this property as an open meadow for water recharge.

Name

The property will be called "St. Gabriel's Meadow Preserve" and will be so-called on all Town maps and descriptive material.

Improvements

There are no improvements on the property.

Management

1. To provide organic maintenance services, which include but are not limited to:

a. To endeavor to mow the currently mowed grass at three and one-half inches. The adjacent high grass area may be left natural except that it shall be mowed once per year to keep as open meadow and prevent the growth of brush and trees. Mowing will be done by the Highway Department unless the Town Board decides to hire a private contractor.

b. Grass clippings are to remain on the lawn.

c. Litter/debris collection as deemed necessary by the Highway Department.

d. Removal by the Highway Department of all invasives wherever present. Environmental Protection Agency approved chemicals can be used to assist in the control of invasives.

e. Removal by the Highway Department of any diseased trees and dead wood to maintain an appropriate and safe environment. Replacement by the Highway Department of any trees that are removed within one year as appropriate to the setting. Enhanced plantings of shrubs, trees and flowers that change the purpose of this preserve are prohibited.

2. To maintain the property in a manner which minimizes rainwater run-off. Any overseeding should incorporate the use of fescue grasses. Varieties of rye and blue grasses are NOT to be used.

3. To use the premises for the historical Fire Department Annual Chicken Barbeque and in accordance with the license with the Shelter Island Fire Department dated 3/18/2004, or as otherwise authorized by the Town Board.

4. To permit temporary portable toilets for the historical Firemen's Annual Chicken Barbeque. No PERMANENT public toilets are to be erected.

5. To prohibit, as required in the New York State fire insurance companies standard fire policies, use or storage on the premises of any illuminating oils, candles, oil lamps, turpentine, benzene, naphtha, or other similar substances or explosives of any kind.

6. To remove the presently aged wood post & rail fence around the Burns and Cartwright Road frontages. The Highway Department finds that the fence hinders efficient mowing; it restricts entry for the Fire Department and other events; and it is in poor condition.

7. The frontage next to the State's strip should be kept free of invasive plants, and dead trees and large fallen branches should be removed to allow undergrowth to recover.

8. Benches may be installed where appropriate to assist public access.

Public Access and Signage

The public will be encouraged to utilize the property by walking along and in the Meadow. Organizations and others desiring to use the Meadow for group events must obtain a permit from the Town Board for uses that are compatible with the Meadow and its setting.

Standard County/Town signage will be located on the property near the corner of Burns and Cartwright Roads. Customary Preservation signs will be posted on the property along Cartwright and Burns Roads and along the State's strip.

Measures to Protect Ecology

The Town will manage the property to protect the ecology of this property. In order to encourage diversity of birds and wildlife, the property should be maintained as an open field/meadow.

Specifically:

(a) Birds: no particular action will be taken except to keep undisturbed to encourage diversity.

(b) Animals: No hunting is allowed unless permitted by the Town, and the property will be posted as such, including along the State's strip.

(c) Vegetation: Invasive species will be removed by the Highway Department.

(d) Wood cutting: The Town Board may permit wood cutting and removal from the area next to the State's strip under the Town's woodcutting program and with coordination with the DEC for access if needed.

Funding

The Community Preservation Fund Advisory Board will submit budget recommendations to the Town annually for maintenance of the property. The Advisory Board will prepare an annual report to the Town Board of expenditures from the Community Preservation Fund for stewardship of the property.

Section 2. Section 5 of Local Law No. 12 - 2010 is hereby repealed.

Section 3. Effective Date:

This Local Law shall become effective 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.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:10 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

June 9, 2020

A special meeting of the Town Board of the Town of Shelter Island was held via zoom on the 9th day of June, 2020. Town Board members present were Supervisor Gerard J. 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 seven persons were present.

The Supervisor called the special meeting to order at 2:25 p. m.

The Supervisor polled the Board to get an approval to waive notice of 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

RESOLUTION NO. 249

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, Emma Gallagher, 17 Petticoat Lane has requested permission as per application, to have a peaceful protest in solidarity with the Black Lives Matter movement on June 14, 2020, from 1:00 p. m. to 3:00 p. m., and

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

"Whereas", the Town Board desires to waive the requirement for the provision of liability insurance, and

"Whereas", the Police Department has responded that they have no problems with the aforementioned application, and

"Whereas", the Superintendent of Highways responded as follows:

a) that there must not be any obstructions on the road or walkways during the event, and

b) and all garbage must be picked up in the area, and

c) subject to the closure of any road or portion of any road as necessary for safety, now, Therefore

BE IT RESOLVED, That said request is hereby approved subject to the Superintendent's requirements.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 Colligan, to wit:

"Whereas", William Cummings and Bernt Hieberg Svenby, 16 Margaret's Drive, have petitioned the Town of Shelter Island for permission to remove existing ramp and floating dock, install new 3' by 20' ramp and 6' by 30' floating dock placed in an "L" configuration in West Neck Creek, and

"Whereas", a public hearing was duly held on the 8th day of May, 2020, and continued on the 29th day of May, 2020, and

"Whereas", all interested persons were heard in favor of or in opposition, and

"Whereas", the Waterways Management Advisory Committee has requested a hardship letter and a request to move said dock approximately one to two feet closer to the southwest corner, and

"Whereas", said provisions have been provided by Costello Marine, 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 renovation:

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 to remove existing ramp and floating dock, install new 3' by 20' ramp and 6' by 30' floating dock placed in an "L" configuration in West Neck Creek, as per recommendations filed and agreed upon, 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.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 2:29 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

The motion was thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

June 19, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held via zoom, on the 19th day of June, 2020. 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 4:30 p. m.

Salute to flag.

The Supervisor made the following announcement:

This is the June 19, 2020 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. 251

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

"Whereas", Daniel R. Ferrara, 29 Winthrop Road, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as 41.08541° north and 72.34422° west; said mooring location was formerly occupied by the D-2948 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 10th day of July, 2020, 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. 252

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

"Whereas", The Nature Conservancy, 47 South Ferry Road, has petitioned the Town of Shelter Island for permission to install an approximately one hundred foot stake, mooring and pulley system in Foxen Creek at a location designated as 41.065437° north and 72.312958° 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 10th day of July, 2020, 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. 253

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 24, 2020, George Zinger was reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2023, and

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

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

BE IT RESOLVED, That George Zinger is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 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. 254

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

BE IT RESOLVED, That Charles Herman is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.00 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. 255

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

BE IT RESOLVED, That Elizabeth J. Murphy is hereby appointed to serve as Beach Attendant for the year 2020 at the rate of $16.00 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. 256

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

BE IT RESOLVED, That Ella Mysliborski is hereby appointed to serve as Beach Attendant for the year 2020 at the rate of $16.00 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. 257

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

BE IT RESOLVED, That Aris Witty is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.50 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. 258

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

BE IT RESOLVED, That Kristie Ortmann is hereby appointed to serve as Assistant Recreation Leader for the year 2020 at $21.01 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. 259

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

BE IT RESOLVED, That Margaret Schultheis is hereby appointed to serve as Beach Attendant for the year 2020 at the rate of $16.00 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. 260

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

BE IT RESOLVED, That Emma Gallagher is hereby appointed to serve as Beach Attendant for the year 2020 at the rate of $16.00 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. 261

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

BE IT RESOLVED, That Annabella Springer is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.00 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. 262

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

BE IT RESOLVED, That Francis Regan is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.00 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. 263

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

BE IT RESOLVED, That Cass Egan is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.00 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. 264

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

BE IT RESOLVED, That Carly Browngardt is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.50 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. 265

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

BE IT RESOLVED, That Daniel Schultheis is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.50 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. 266

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

BE IT RESOLVED, That Sage Witty is hereby appointed to serve as Lifeguard for the year 2020 at the rate of $17.50 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. 267

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

BE IT RESOLVED, That the Town Clerk's petty cash is hereby increased from $350.00 to $500.00.

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. 268

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 $750.00 from the 2020 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, 2020 through September 30, 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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

"Whereas", the Shelter Island Lions Club Foundation has made a very generous donation to the Town of Shelter Island in the amount of $3,500.00 to be used for improvements to the Wade's Beach bathhouse, and

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

BE IT RESOLVED, That the Town of Shelter Island sincerely thanks the Shelter Island Lions Club Foundation for their very generous donation, and

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

$3,500.00 increase to the 2020 A2705W Wade's Beach donations revenue account, to be funded by the donation received from the Shelter Island Lions Club Foundation, and

$3,500.00 increase to the 2020 A1490.409 Public Works beaches and parks 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. 270

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

BE IT RESOLVED, That 2020 general claims numbered 751 through 913 in the amount of $97,215.76, 2020 Community Preservation Fund claims numbered 13 through 15 in the amount of $855.34, 2020 highway claims numbered 91 through 109 in the amount of $80,814.99, and 2020 West Neck Water claims numbered 15 through 18 in the amount of $10,338.98 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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

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

BE IT RESOLVED, That Commissioner of Public Works Brian Sherman is hereby authorized and directed to advertise for sealed bids for the proposals for the Grace's Lane bulkhead 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.

At 4:43 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Virginia T. Brooks, 10 Fred's Lane, for permission to relocate mooring number W-1612 from a location designated as latitude 41.05583° north and 72.35485° west to a location designated as latitude 41.056044° north and longitude 72.355350° west in West Neck Creek.

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 meeting was held on June first, this one is and the next two applications __ at six p. m., by a vote of seven, zero, this application was accepted and it was necessary to get deeper water to accommodate a larger sized boat, that's why the Brooks forfeited their older mooring for the new 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 4:45 p. m. and called to order the public hearing to be held as advertised on the application of Adam Ronzoni, 37A Westmoreland Drive, for permission to install a mooring in West Neck Bay at a location designated as 41.03236° north and 72.21283° 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 the WMAC met on the same day, by a vote of seven, zero, unanimous with new coordinates which I gave to Dot on the day after the meeting to accommodate this mooring application in West Neck.

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 4:46 p. m. and called to order the public hearing to be held as advertised on the application of Richard Relyea, 38 Little Ram Island Drive, for permission to install a mooring in Coecles Harbor approximately 150' southeast of the Slater (C3518) mooring and 170' off the beach at second causeway.

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 the same day, by a vote of six, zero, one and the one was an abstention because I think the person is the installer of that particular mooring, at those new coordinates, the original application called for different coordinates, we moved it slightly in order to accommodate the application at a better location, so it passed six, 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 4:47 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law concerning parking on Bootlegger's Alley.

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

Correspondence included the following:

1. An e-mail from Gavin Shea concerning decaying fish on the beach at Bootlegger's Alley etc. and suggesting that our beaches and the environment we have enjoyed and protected should be preserved for use by residents and legitimate renters.
2. An unsigned letter concerning the safety and liability issues at Bootlegger's.

The Supervisor made the following statement: The Town Board has been made aware of various concerns regarding beach access at Bootlegger's Alley.

These concerns include, but are not limited to:

- overcrowded parking
- blocked access to the fire ramp
- limited access to the beach
- poor sanitary conditions
- no social distancing on the beach
- litter left on the beach

We, the Town Board, have tried to address each issue.

We felt that the sudden increase in activity at Bootlegger's Alley, was Covid-19 related, in that:

- other beaches were completely closed to the public
- families that were self-isolated were looking for a healthy outdoor activity and
- many of those fishing on the beach were providing food for their families.

With this in mind, I issued an Emergency Order, addressing these issues.

We put in place:

no parking at any time on the northwest side to ensure access to the fire ramp
no parking within six (6) feet of any driveway or intersection
resident only parking on the south side of the road
non-resident parking would be on the north side of the road
appropriate signage regarding parking, social distancing and access below the mean high water mark
two portable bathrooms with a wash station.

The reason this was done by Emergency Order, so that we would have time to observe the situation, before setting a Public Hearing.

We've now had that time, and are moving forward with the Public Hearing.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Leah; I just wanted to give you some credentials, I'm a scientist, I'm responsible for the entire infectious disease portfolio at my company, I've been actively working on Covid-19 for the last six months, therapeutic and preventative measures, and I lead the team that lead to a cure for Ebola virus last year so I __ to guess that I know more about Covid-19 than anybody on this call, I am extremely worried that what is going on at Bootlegger's Alley and the beach is going to lead to many more infections, I can't walk down the street and social distance when there are people in the street, I can't go to the beach at all because there is no attention to social distancing, it's great that the Town put in place some place where people can use the facilities but if you read the CDC guidelines, those facilities should be cleaned at minimum daily and probably multiple times a day no matter how many times the people wash their hands outside, they're contaminating the porta potties, to be honest with you and I'm not exaggerating, I honestly fear for my life because I know, because I'm over sixty-five, if I get hospitalized with Covid-19, it's virtually a death sentence, __ the Town Board __ people are not social distancing, there is garbage all over the street now that I would normally go around and pick up but I'm afraid to pick it up because I don't know that it's not contaminated, so I would implore the Board to really completely __ the parking to residents only and recognize that this is a very serious health issue and I fully expect because all the data is supportive of it, that there is gonna be another giant spike and I want to really actually applaud the Board for what you did before __, the number of cases on Shelter Island was astonishingly low, you guys did everything right and now it's going to be easily reversed and we'll have a massive spike on Shelter Island and I'll let other people speak now; thank you, Don Bindler, just unmute and identify yourself for the record; can you hear me now; okay, I hope I'm a better speaker that I am a computer technician, thank you members of the Board for recognizing me, I sent a letter to the Board two weeks ago with accompanying photos that illustrate most of the points that I want to make, unfortunately that letter was never responded to or acknowledged or entered into the minutes but that's another issue, at this time I would like to comment on the substance of that letter, the problem on Bootlegger's Alley is not a new one, it's been building for several years, Covid-19 has only exacerbated it, it's ironic and to Leah's comments to the wonderful job in protecting Shelter Island, we stand on line en masse and social distancing to get into the IGA, to get into the pharmacy, to get into the Post Office, at the same time hordes of daily visitors from some of the most infected areas of the city, often more than a hundred on any Saturday or Sunday descend on Bootlegger's Alley __ social distancing is non-existent and masks are hit or miss, as I said though, the problem with Covid-19 will pass __ but the problem with Bootlegger's Alley will not unless the Town takes decisive action now, I feel that this is a fairly straight forward history that is the protection of property rights in a residential neighborhood, unfortunately there are some who are trying to make this a political issue, ___ rich versus poor, one nationality versus another, that's a standard __ and an excuse for inaction, there is no discrimination __ here, Shelter Island has four designated Town beaches that are open to everyone and anyone who takes the trouble to get a beach sticker, however right now there are groups of people who are circumventing this requirement and turning a residential street and waterfront into a public beach, there's a reason for beach stickers and why all of our neighboring towns have them, namely to insure access and comfortable enjoyment for residents and to prevent overcrowding, this is totally disregarded at Bootlegger's and these other towns have beach stickers but they have closed the beach access to non-residents for a reason, the other argument that I hear for inaction is that these non-residents have a legal right to be there, technically that may be true but this is the __, I have a legal right to be on any beach in the Town of Southampton or East Hampton, however the Town recognizing that, has made it virtually impossible because they have closed off access and closed off parking so that you can't use the beach if you are not a resident, __ if you want to be technical about it, we

all have property which has Town ownership as part of that property, so if you want to be technical about the issue of the high water mark, virtually anybody has the right to park and picnic on the front most part of the property all over the Island so this is a __ argument, yes they have a technical right to be below the high water mark but we don't have to give access to everyone any more than I want people picnicking and messing up on my front lawn even though the Town owns it, the Town's actions thus far have been inadequate and in fact have made it worse, a pristine stretch of beach has been blighted by large unsightly signs, if that's not enough, the edification of a residential street has been added to it, paid for I might add, by taxpayers and this gives the impression that this now recognized public gathering place, the photos that I sent to the Board show very clearly, tents on the beach; can I just interrupt for a second, I can display those photos if you want to see them; I think it would be helpful but it's up to you; I'll display them as you speak; okay, as I said, it's overcrowded, tents on the beach, consistent and routine disregard to the signs which mean trespassing on private property, the street is so congested that cars cannot pass in opposite directions, because of all of this, a constant police presence is required, I think this seems to note that the short term rental law took three painful and agonizing years to enact, it's purpose is to prevent the commercialization of a residential neighborhood until this transit traffic in those neighborhoods, yet there are probably more non-resident transient __ on Bootlegger's Alley than all of the short term rentals on the Island in any month, are we being hypocritical here, in conclusion the character of residential neighborhoods and the quality of __ must be protected, I happen not to own waterfront property do I am not affected directly as much as some of them, yet as a member of the Silver Beach community, I want to protect the __ of our neighborhood and want to keep our residential quality for that neighborhood, that's why we live here, that's why we pay taxes here and our waterfront should not be allowed to be taken over and to be converted into public beaches and to __ any group of people, this is not political, it's not discriminatory, I don't care if the people are from the Fortune 500, I don't care if they are in the social register, we have a right to maintain our residential neighborhoods as we intend them to be, so I urge the Board to take strong and decisive action to close down the non-resident traffic on the alley and beaches, we have four beaches, we welcome all these people to __, bring it on but not on private property and not in the residential neighborhoods, thank you for your time; thanks Don, anybody else; I'd like to speak up, first I would like to say I was the author of that e-mail last, I purposely did not want to put my name on it because I didn't want to have any conversation outside of the public hearing, my name is Matthew Wells, I live with my wife Leah Lipsich at 7 Bootlegger's Alley, and I along with other Bootlegger's Alley residents, we have had to take the brunt of this for the past thirty days, it has been awful, terrible, it's been a holy hell and it really does have to be addressed right on, exactly the way __ mentioned, I think he covered everything very well and I appreciate it, that's all I have to say; thank you, Seth, you have to unmute yourself; okay, good afternoon, my name is Seth Harris ___ Supervisor Siller several weeks ago, I have issues with the current signage and parking as well __ Shelter Island residents, __ issue, I agree with Matthew and the others, it has been a living hell for those of us that live on that street over the last thirty days, I've had things like dirty underwear __ clothes, garbage, masks __ for the reasons that were mentioned earlier to the Town Board, there's also noise issues on the street now, and also safety concerns because as the rules are currently written, anybody can park there overnight and while they're fishing during the day, I've never seen a fisherman without a knife, now as somebody read, __ facilitate prosecutions, three different trespass arrests on my dock over the last thirty days, don't think I'm not concerned about my family, there could be some retribution with parking outside all night, sleeping right outside my house with knives in their cars, those are my personal concerns, as a Shelter Island resident I am concerned about the exposure that the Town has to a large judgment should somebody and I am a personal injury attorney so I am familiar with this, when Town's don't have proper reserves, to pay a judgment for somebody that dies on the beach either due to a drowning or because we probably couldn't rescue them on that narrow roadway, __ and every taxpayer on our Island, what are we gonna do to a large, if __ the __, there's no plan there unless there is an insurance policy that I'm not aware of, we have backed ourselves on the Island into a very potentially bleak corner __ , hence a liability issue, so I would implore the Board to reconsider and I support the comments of the others to have parking permit only on both sides of the street, there are other __ by making Silver Beach public, there could be parking above West Neck ___ the beach, on a much wider street and quite frankly there's not so residential there but half the cars in all of our backyards ___; this is Duke Foster, I'd like to make a comment; hold on, mute that, thank you; Duke Foster, 9C Bootlegger's Alley, I've been here fifty-two years, I'm at the north end of Crab Creek and my office in my home faces south so I see everything that goes on on the beach except for those that are really lying on the sand, we have seen last year as well as this year, time after time people who come off the beach, go across the beach onto the Silver Beach property and face east and they

sometimes kneel, sometimes they don't and sometimes they face west and after about a minute or two they go back to the beach, it's a little hard even though I have binoculars to see exactly what's going on but I don't think you have to have binoculars, I think you can easily understand that these people are urinating and defecating on the property, they've been doing that all summer long, it's atrocious, it's dirty, it's awful and there is a porta potty of course, we both know that, however this morning at eight o'clock on the beach I saw some ten people way, way down, those people, I walked the beach at four o'clock and the ten people are still on the beach, they came in four cars, a group, three groups of two and one group of four, they have been there since eight o'clock this morning and they have never walked down the beach, at least not when I had been looking so we can obviously understand what's been going on, multiply that by, that ten people by seven or eight or nine and you have a tremendous sanitary problem which has not been dealt with, the porta potties, I wouldn't go in a porta potty for all the tea in China even if they were cleansed once an hour, these people, these ten people never walked the beach to the porta potty, so they were useless in terms of solving that problem, the second point I want to make is the signs, about eight years ago, I found some people on the beach property that I own, doing nude bathing, that said to me Duke you should do something about this and I have seen the sign over at the lane, oh what is it, the lane that is blocked off and I said to myself gosh you know, why can't we have the same kind of thing in Bootlegger's Alley that they have over there, the reason for those and that's where the sign came from incidentally, eight years ago I went over there and I saw that they had erected a sign that says high tide mark of the property one way and on private property the other and I thought, we have nothing on Bootlegger's Alley and my nude bathers, had they known that maybe they were on my property, might have gone some place else, so I've gone and paid eighty dollars for the first sign that you see there, it was put up at the wrong place, it's supposed to be at the high tide line, however when I saw it, I said oh what the heck, the idea is there, there's public __ by the property, so I did nothing about it, when the new signs were put up, they were put up approximately in the same location from the water, same distance from the water that the first sign was, I have measured now for a week, those signs are twenty feet above the mean high tide mark and I have been challenged somewhat in terms of moving the signs down to where they belong, at the high tide mark, so I am in the process of engaging an engineer, a surveyor to survey that property and come up with the location of where those signs should be, at the high tide mark, I will share that with the Town as soon as I get it so we are exacerbating our own problem by giving people twenty feet more of beach than they deserve and I pay for that twenty feet, thank you; thank you Duke, anybody else, okay I think we're gonna recess this meeting and discuss it at Tuesday's work session, Amber; Don; oh Don I'm sorry, you have to unmute again; just a follow up comment to Duke and that is regarding the porta potties and we all have, looking at the people on this Board at various price levels, we all have fairly attractive homes on Shelter Island, some are more valuable than others but all minimally quite valuable and in terms of aesthetics, all quite lovely, I've asked everybody on the Board how they would feel having porta potties at the foot of their driveway or just adjacent to their property and going down there on a Saturday or Sunday morning, the cars pour in and since they are obviously coming from long distances, everybody gets out and does head for the porta potties, there's a line to get into them and this is probably right, this is probably the last time they are gonna be used that day by those people, but there's a line for those porta potties and that's at the foot of a residential street in a very lovely neighborhood of Shelter Island, so Gerry I know that you mean well in trying to improve sanitation when you issue an executive order to put in the porta potties but I think while you are trying to solve one problem, you created another aesthetic problem and possibly a sanitary problem as well, so thank you; thank you, okay again, I think, we're not gonna close this hearing, we'll recess it and we will continue this discussion at the Tuesday work session; may I ask a clarifying question, I'll share my screen so I can understand ___, are you proposing that or asking the Board to add signage to this; Duke are you on there; he's on mute, he's talking but not being heard; will you show him how to unmute please; okay, I'm unmuted not, I'm sorry, what was the question; are you asking for similar signage to this as at Menhaden Lane; I would think that would solve ninety-nine percent of our problem, if no parking on Menhaden Lane and then no parking on the adjacent main road for I think a quarter to a half a mile, every time I have been over to Menhaden Lane, the only people parked there are the people with the stickers and there's nobody else parked on the main road because if I guessed the distance from the beach, so I would think that that would be a very good solution for us, the other solution which some people have mentioned is, in the Heights you can only park for two hours and then you have to move your car, I don't know if that applies for one day so you can only park for two hours in one day and then you've got to go park some place else but that's certainly another alternative, having handy parking encourages people to bring their tent, their sleeping bags, their charcoal broilers, they're very large rolling coolers, it's interesting because if you were to look at where the high tide marks are and if you were to look in the sand, you see cooler tracks every Monday

morning which says we weren't really policing the wrong way placed high tide mark; Matthew, you have to unmute; you have to unmute Matthew; there you go; I'd like to make one last statement, pursuant to New York State Fire Code Section 503.2.1, fire apparatus access road must be retained to allow emergency vehicles to travel unobstructed with a clear twenty foot width space, Bootlegger's Alley is basically eighteen feet wide, now the only time it opens up to more than twenty feet wide is down by the landing, so you need to take that into consideration; thank you; it certainly wasn't designed as a parking lot; okay, so we're gonna recess this hearing and we'll discuss it at the Town Board work session.

The Supervisor declared the public hearing closed at 5:14 p. m. and called to order the recessed public hearing on the application of Tom Field for a stake, mooring and pulley system.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: I sent out those notes and I sent it to you two or two and a half hours ago; no this is the Field application; the location may not be available, I think the committee and I think John needs to follow up and I will get back to John.

The Supervisor declared the public hearing recessed at 5:17 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 272

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

"Whereas", Virginia T. Brooks, 10 Fred's Lane, has petitioned the Town of Shelter Island for permission to relocate mooring number W-1612 from a location designated as latitude 41.05583° north and 72.35485° west to a location designated as latitude 41.056044° north and longitude 72.355350° west, in West Neck Creek, and

"Whereas", a public hearing was duly held on the 19th day of June, 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 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. 273

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

"Whereas", Adam Ronzoni, 37A Westmoreland Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as 41.03236° north and 72.21283° west, and

"Whereas", a public hearing was duly held on the 19th day of June, 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. 274

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

"Whereas", Richard Relyea, 38 Little Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor approximately 150' southeast of the Slater (C3518) mooring and 170' off the beach at second causeway, and

"Whereas", a public hearing was duly held on the 19th day of June, 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 installation of a mooring in Coecles Harbor at a location designated as 41.080224° north and 72.301407° 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.

On motion of Supervisor Siller and seconded by Councilman Bebon, the meeting was adjourned at 5:32 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 thereupon declared duly adopted.

Dorothy S. Ogar
Town Clerk

June 23, 2020

A special meeting of the Town Board of the Town of Shelter Island was held via zoom on the 23rd day of June, 2020. 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 eight persons were present.

The Supervisor polled the Board members to get permission waive notice of said 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

Permission was thereupon declared duly approved.

The Supervisor called the special meeting to order at 3:35 p. m.

RESOLUTION NO. 275

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

BE IT RESOLVED, That Robert DeStefano is hereby appointed to serve as ADA Compliance Officer for the Town of Shelter Island.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 Colligan, the special meeting was adjourned at 3:37 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 30, 2020

A special meeting of the Town Board of the Town of Shelter Island was held via zoom on the 30th day of June, 2020. 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 four persons were present.

The Supervisor polled the Board members to get permission to waive notice of said 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

Permission was thereupon declared duly approved.

The Supervisor called the special meeting to order at 2:21 p. m.

RESOLUTION NO. 276

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

"Whereas," Project Surf, NYC has petitioned the Town Board for a license to operate a commercial business at Crescent Beach; 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 Project Surf NYC is granted a license to operate a rental and instruction business at the northern end of Crescent Beach through Labor Day weekend 2020 subject to the following conditions:

a) The licensee must possess any necessary state and county licenses; and

b) The licensee must comply with all federal, state and local executive orders related to the COVID-19 pandemic; and

c) The licensee must comply with all beach restrictions and maritime regulations; and

d) The licensee shall obtain a parking permit for its trailer at a cost of $230 for the season; and

e) The licensee shall only operate between the hours of 10:00 am and 7:00 pm; and

f) The licensee shall not block or obstruct access to the boat launch ramp on the northern end of Crescent Beach;

g) The licensee shall obtain and maintain appropriate insurance as set forth in its application; and

h) The licensee shall be entitled to erect a single tent on the beach no larger than 10' by 10' located on the northern end of Crescent Beach in the general vicinity of the Town comfort station; and

i) The location and operation of the licensee's business is subject to review and adjustment by the Shelter Island Police Department and the Shelter Island Highway Department; and

BE IT FURTHER RESOLVED, that this license is provisional an exclusive to the 2020 season. There shall be no automatic right to renew and any future application shall be evaluated based upon its own merit and the current needs of the Town of Shelter Land. Furthermore, the terms of this agreement shall not carry forward to any future agreement unless specifically agreed to by the parties.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 Colligan, the special meeting was adjourned at 2:27 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

July 10, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held via zoom, on the 10th day of July, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Councilman Albert Dickson was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and four persons were also present.

The Supervisor called the meeting to order at 4:50 p. m.

Salute to flag.

The Supervisor made the following announcement:

This is the July 10, 2020 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 May, 2020:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
MAY 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	4,886,476.10	2,354,354.60	854,039.06	6,386,791.64	809,164.95
Hwy Checking	2,180,561.49	8,018.85	255,336.22	1,933,244.12	
T&AChecking	526,069.49	4,450,033.06	4,435,052.71	541,049.84	10,507.42
T&A Savings	12,235.51	0.29	0.00	12,235.80	
Hwy Cap Res	326,478.02	7.78	0.00	326,485.80	
WNW Supply	22,893.60	2,102.57	4,887.83	20,108.34	154,122.65
Taylor's Island	44,109.83	1.86	0.00	44,111.69	
Comm Preserv	890,535.67	48,142.85	2,620.00	936,058.52	5,899,242.63
Waterways	289,453.10	10,395.00	0.00	299,848.10	
Reserve Fund	2,286,601.41	0.00	0.00	2,286,601.41	
Bridge St Esc	0.00	0.00	0.00	0.00	371,018.34
Environmental	0.00	0.00	0.00	0.00	5,673.97
FIT Ctr Reserv	20,045.25	0.00	0.00	20,045.25	
Ambul Reserv	232,386.43	1.95	0.00	232,388.38	
Ambul Train	24,474.85	0.58	0.00	24,475.43	
TOTALS	11,742,320.75	6,873,059.39	5,551,935.82	13,063,444.32	7,249,729.96

RESOLUTION NO. 277

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

"Whereas", JBH of Peconic, Inc., AKA Robert Waife, 9 North Ferry Road, has petitioned the Town of Shelter Island for permission to install a private mooring in West Neck Creek off Daniel Lord Road at a location designated as 41.067649° North and 72.353859° West; said mooring location was formerly occupied by the W-0290 Armstrong 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 4:42 p. m., prevailing time, on the 31st day of July, 2020, 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

	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 278

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

"Whereas", Charles Spooner, 29E Osprey Road, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as 41.08747 north and 72.34544° west; said mooring location was formerly occupied by the D-2310 Waife 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 31st day of July, 2020, 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
	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 279

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

"Whereas", Ari J. and Margarita Benacerraf, 8 Harbor Lane, Dering Harbor, have petitioned the Town of Shelter Island for permission to remove and replace approximately 287 linear feet of existing timber bulkhead and/or concrete seawall (in-place and up to +/- 8 inches higher) with vinyl bulkhead, construct +/- 12’ of vinyl return, backfill with approximately 40 cubic yards of clean sandy fill to be trucked in from an approved upland source, and replant as needed any disturbed portions of naturally vegetated embankment with native vegetation, 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 4:46 p. m., prevailing time, on the 31st day of July, 2020, 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
	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 280

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

"Whereas", 58 Tuthill Drive SI, LLC, c/o Brian Carroll, 58 Tuthill Drive, has petitioned the Town of Shelter Island 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, 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 4:48 p. m., prevailing time, on the 31st day of July, 2020, 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
	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 281

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

"Whereas", Rob Bannon, 27 Sunnyside Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as latitude 41.08608°

north and 72.34453° west; said mooring location was formerly occupied by the Heiman D-3130 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 4:50 p. m., prevailing time, on the 31st day of July, 2020, 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
	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 282

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

"Whereas", the term of Penelope Kerr as a member of the Green Options Advisory Committee expired on May 10, 2020, and

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

BE IT RESOLVED, That Penelope Kerr is hereby re-appointed to serve as a member of the Green Options Advisory Committee for a term to expire on May 10, 2023.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 283

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

"Whereas", the term of Lynne Colligan as a member of the Zoning Board of Appeals expired on July 8, 2020, and

"Whereas", Lynne Colligan has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Lynne Colligan is hereby reappointed to serve as member of the Zoning Board of Appeals for a term to expire on July 8, 2025.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 284

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

"Whereas", the term of Donald D. D'Amato as a member of the Green Options Advisory Committee expired on May 11, 2020, and

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

BE IT RESOLVED, That Donald D. D'Amato is hereby reappointed to serve as a member of the Green Options Advisory Committee for a term to expire on May 11, 2023.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 285

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

"Whereas", the term of Peder Larsen as a member of the Conservation Advisory Council will expire on September 20, 2020, and

"Whereas", Peder Larsen has expressed his willingness to continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Peder Larsen is hereby re-appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2023.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 286

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

"Whereas", the term of Beverlea Walz as a member of the Shelter Island Colonial & Native American Graves Protection Committee will expire on September 21, 2020, and

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

BE IT RESOLVED, That Beverlea Walz is hereby re-appointed to serve as a member of the Shelter Island Colonial & Native American Graves Protection Committee for a term to expire on September 21, 2023.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 287

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

"Whereas", the term of Paulette Van Vranken as a member of the Conservation Advisory Council will expire on September 20, 2020, and

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

BE IT RESOLVED, That Paulette Van Vranken is hereby re-appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2022.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 288

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

"Whereas", the term of Dr. James Bevilacqua as a member of the Deer and Tick Committee has expired, and

"Whereas", Dr. James M. Bevilacqua has expressed his willingness to continue to serve on said Committee, now, Therefore

BE IT RESOLVED, That Dr. James M. Bevilacqua is hereby appointed to serve as a member of the Deer and Tick Committee for a term to expire on June 24, 2022.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 289

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

"Whereas", pursuant to 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 May 8, 2020, John Reilly was appointed to serve as member of the Conservation Advisory Council, and

"Whereas", the aforementioned appointee has not yet signed and filed said constitutional oath of office, and

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

BE IT RESOLVED, That John Reilly is hereby appointed to serve as member of the Conservation Advisory Council for a term to expire on September 20, 2021.

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

The resolution was thereupon declared duly adopted

RESOLUTION NO. 290

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 May 29, 2020, Scott R. Campbell was reappointed to serve as a member of the Deer and Tick Committee for a term to expire on June 20, 2023, and

"Whereas", Dr. Campbell has not yet signed and filed said constitutional oath of office, and

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

BE IT RESOLVED, That Scott R. Campbell is hereby reappointed to serve as a member of the Deer and Tick Committee for a term to expire on June 24, 2023.

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

The resolution was thereupon declared duly adopted

RESOLUTION NO. 291

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 $417.58 from the B3620.491 Building Department service contracts account and $417.59 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, 2020 through June 30, 2021 for the copy machine in the Building Department.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 292

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

"Whereas", sealed bids were received by the Town Clerk's Office until 3 p. m. on the 8th day of July, 2020, for the reconstruction of the bulkhead at Ian's and Grace's Lane, at which time they were publicly opened and read aloud, as follows:

Crowley Marine Contracting	Total bid	$397,000.00, and
Costello Marine Contracting, Corp.	Total bid	$351,900.00, and

"Whereas", the Commissioner of Public Works has reviewed said bids and recommended said bid be awarded to Costello Marine Contracting Corp., now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for the reconstruction of the bulkhead at Ian's Lane and Grace's Lane to Costello Marine Contracting Corp. for the aforementioned amount of $351,900.00.

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

	Councilman Bebon	aye
	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 293

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

"Whereas", Brian Sherman, Commissioner of Public Works, has requested permission to advertise for sealed bids for the proposed purchase of ten replacement windows for the American Legion Hall, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

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

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", the Town of Shelter Island expects to receive approximately plus or minus $13,000.00 to be used to prevent, prepare for, and respond to coronavirus (COVID-19) These funds may be used for Admin expenses for Senior Services expenses expended during the COVID-19 pandemic, and

"Whereas", these funds may be applied to accounts for use for senior services expenses, 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 31st day of July, 2020, 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 said funds.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 295

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

"Whereas", the Town of Shelter Island has applied for a grant to study the possibility of improving the water quality at the Town owned Fresh Pond, and

"Whereas", this project will require ongoing monitoring and supervision, and

"Whereas", the Town of shelter Island believes that a volunteer committee of interested citizens is in the best position to oversee the project, it is therefore

RESOLVED, that a committee shall be and is created and entitled the "Ad Hoc Fresh Pond Study Committee", and

BE IT FURTHER RESOLVED, that the mission of the committee shall be to assist the Town in:

overseeing a study that the goal of which is to reduce or eliminate environmental degradation of Fresh Pond, including harmful algal blooms

the selection of a qualified consulting engineering firm and coordination with the consultant to help facilitate study recommendations

ensuring the study complies with grant funding requirement and meeting the goal of a workable remediation plan

raising any additional funds for study completion as needed by outreach to the local neighbors association and wider community, and

BE IT FURTHER RESOLVED, that the Committee Roles, Responsibilities, and Authority shall be as follows:

1. committee mission defines the role and responsibility
2. committee members report to committee chair

3. committee chair reports to Fresh Pond Study Project Manager (currently Town Engineer) and has the responsibility and authority to assist the Town in achieving the mission
4. Project Manager bears overall responsibility and authority for effort, including grand funding oversight
5. committee members and chair follows town requirement for Boards and Committees rules of Procedure
6. Project manager directives may supersede Boards and Committees Rules of Procedure, and

BE IT FURTHER RESOLVED, That the following persons are appointed to a two year term to end on July 10, 2022: Peter Grand, Deb Grayson, Jerri Mayer and James Eklund, and

BE IT FURTHER RESOLVED, That Peter Grand is appointed to chair the committee for the duration of his term, and

BE IT FURTHER RESOLVED, The committee shall be abolished by operation of law on July 10, 2022 if not reauthorized by the Town Board.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 296

Councilman Bebon 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 4:52 p. m., prevailing time, on the 31st day of July, 2020, 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 application of Michael Hodor, 16 Lakeview Drive, for permission to install a 14' by 7.5' therapeutic portable spa tub.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 297

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 4:54 p. m., prevailing time, on the 31st day of July, 2020, 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 mechanical equipment, to wit:

Section 1. Add the following Section 133-30-1 Mechanical Equipment:

Mechanical equipment incidental to the use of any building may be located in the front or side yard so long as that equipment is:

A. As near as possible to the structure in accordance with the manufacturer's recommendations; and

B. Has listed DbA rating of 74 or less; and

C. Is maintained in such a condition so as not to increase the noise level.

Section 2. 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
	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 298

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 m., prevailing time, on the 31st day of July, 2020, 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 application of 6 Daniel Lord Road LLC, 6 Daniel Lord Road, to remove existing site improvements from within the regulated area.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 299

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 4:56 p. m., prevailing time, on the 31st day of July, 2020, 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 special permit application of the South Ferry, Inc., 128 South Ferry Road, to remove several existing buildings, construct new maintenance barn with office, meeting room, sanitary facilities and work areas.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 300

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

BE IT RESOLVED, That 2020 general claims numbered 914 through 1024 in the amount of $206,664.28, 2020 Community Preservation Fund claims numbered 16 through 19 in the amount of $1,004.74, 2020 highway claims numbered 110 through 129 in the amount of $15,081.57, and 2020 West Neck Water claims numbered 19 through 20 in the amount of $72.98 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.

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

The resolution was thereupon declared duly adopted.

At 5:11 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Daniel R. Ferrara, 29 Winthrop Road, for permission to install a mooring in Dering Harbor at a location designated as 41.08541° north and 72.34422° west; said mooring location was formerly occupied by the D-2948 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: the Waterways met this week, there were six members present, by a vote of five, zero, one, they approved it, Mike Anglin recused himself due to the fact that he is the installer of the mooring, this by the way was a property that was bought from the King family and it had riparian mooring rights and that's why they approved 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 5:13 p. m. and called to order the public hearing to be held as advertised on the application of The Nature Conservancy, 47 South Ferry Road, for permission to install an approximately one hundred foot stake, mooring and pulley system in Foxen Creek at a location designated as 41.065437° north and 72.312958° 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 the same night and we voted by a vote of six to zero, I want to thank the Director of the TNC Mashomack, Jeremy Samuelson who was present for the meeting, that was very helpful because we needed to change the exact coordinates and he was present and we were able to resolve that without any problems so the vote went six, zero.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Jeremy, any questions; no I'm just here to answer any questions; I sat in on the meeting, thank you for showing up, it was very helpful.

The Supervisor declared the public hearing closed at 5:17 p. m. and reconvened the recessed public hearing to be held on the proposed Local Law concerning parking on Bootlegger's Alley.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: this has been going on for a while, we are still under the executive declaration, the emergency declaration order regarding the parking there, we've met with the neighbors at work sessions, we made one change, Bob, you want to address the change you have to go off mute Bob; essentially the change is that we are now having a no parking zone on Peconic Avenue on the south side of Bootlegger's Alley up to Brander Parkway, procedurally a change should be made by motion by one of the Board members and read in; I don't have it in front of my; you can't do that in a public hearing; when we reconvene; and you can set it; okay, thanks Dot, good pick up, any other comments on Bootlegger's; yeah that was done at the request of a lot of the people that live along Bootlegger's and by personal observations of the Town Board, parking on both sides of the street, when cars didn't fully pull off, the street only measured you know, seventeen feet six inches wide and then you know if they __, that was the necessity that put this on, it wasn't for any other reason other than to be able emergency vehicles whether it be an ambulance or a fire truck or even bring your boat down for launching and making use of the boat launch, it was just too narrow when we had parking on both sides of the street so we eliminated the parking as just stated, on the south side of the road which now should not be a problem for getting any type of emergency or boat down to that spot, thank you; just to make sure everybody understands, we took, the side we're taking away was the resident parking but we'll still have resident parking from the bulkhead up to the beginning of the Peconic Avenue extension so we still have resident parking on one side and nonresident on the other but it's opened up the street; __ park along the end of the ___, it's probably about fifty feet to a hundred feet on the south side of the road before you get to Peconic there and you could probably fit about ten resident cars away __ personal observation that very rarely do we get more than a handful ___ parking for the residents nearest to the beach __; okay Jim, so we're gonna recess that hearing.

At 5:18 p. m., the Supervisor recessed the hearing and reconvened the recessed public hearing on the Field stake, mooring and pulley system.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Dot we have to reconvene the hearing on Field's stake, mooring and pulley but I don't think we actually have an application before us; but I have no reason to take it off the agenda; so what do we do; to be honest with you it came up under new business at Monday night's meeting of the WMAC and I guess Artie Springer was still assigned to that stake and pulley mooring and Peter Vielberg will assist the committee in reviewing other locations in that area around Daniel Lloyd Road and if the Board remembers you know, we had three stake and pulley lines at the end of the road that actually, technically was on private property, you remember when we were trying to delineate where the property line was from the owner on the left side, so when we have been and we're done a successful job in relocating those __, I think they are stakes one, two and three one, three and five, whatever the heck they are, the first three on the north side there, right hand side as you go down to the water, we've relocated them and so we're gonna work with Mr. Field and try and get something that he likes right within that area, there are several possibilities and I want to thank Mr. Vielberg, big excuse me, that he's been instrumental in helping the committee out in so many ways but Peter's been really very accommodating and we thank him very much for all his assistance; so I guess we're recess that one again and we'll wait for the Waterways;

At 5:22 p. m., the Supervisor recessed the hearing and reconvened the regular Town Board meeting.

RESOLUTION NO. 301

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

"Whereas", Daniel R. Ferrara, 29 Winthrop Road, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as 41.08541° north and 72.34422° west; said mooring location was formerly occupied by the D-2948 mooring, and

"Whereas", a public hearing was duly held on the 10th day of July, 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
	Supervisor Siller	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 302

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

"Whereas", The Nature Conservancy, 47 South Ferry Road, has petitioned the Town of Shelter Island for permission to install an approximately one hundred foot stake, mooring and pulley system in Foxen Creek at a location designated as 41.065437° north and 72.312958° west, and

"Whereas", a public hearing was duly held on the 10th day of July, 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 installation of a stake, mooring and pulley system in Foxen Creek at a location designated as 41.065218° north and 72.313666° west.

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

The resolution was thereupon declared duly adopted.

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

The reconvening of the recessed public hearing on a proposed Local Law entitled Alter Parking Requirements for Bootlegger's Alley, with substantive changes as follows:

Section 1. Chapter 126, Section 126-8 of the Shelter Island Town Code shall be amended in that the following subsection shall be added:

(III) Bootleggers Alley

1. There shall be no parking at any time on the Northwest side of Bootlegger's Alley across from the end of Peconic Avenue running West (seaward) one hundred twenty (120) Feet to the beachfront which shall be indicated with appropriate signage; and
2. There shall be no parking within six (6) feet of any driveway or intersection on Bootlegger's Alley; and
3. All motor vehicles or motorcycles parking along the waterfront on Bootlegger's Alley and on the Southern side of Bootlegger's Alley from the beachfront running East (landward) to the Peconic Avenue Extension shall display a parking permit, which will be issued by the Town Clerk pursuant to Chapter 36 of the Code of the Town of Shelter Island.
4. There shall be no parking at any time on the southern side of Bootlegger's Alley from the Eastern side of Peconic Avenue to Brander Parkway.
5. Said parking permit shall be displayed on the lower left corner of the left rear bumper of a motor vehicle and the rear mudguard of a motorcycle.
6. There shall be no double parking anywhere on Bootleggers Alley; and

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
	Supervisor Siller	aye

This motion was carried.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 5:34 p. m.

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

This motion was carried.

Dorothy S. Ogar
Town Clerk

July 31, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 31st day of July, 2020. 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 twenty-two persons were also present.

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

Salute to flag.

The Supervisor made the following announcement:

This is the July 31, 2020 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 extended emergency declaration of the local declaration of a state of emergency as issued by Supervisor Siller on July 23, 2020.
2. A letter from John M. Wagner, partner of Certilman Balin Adler & Hyman, LLP concerning the application of Shanty Bay Property LLC for a wetlands permit for 44 and 46 Tuthill Drive requesting the Town Board reject Mr. Kohn's arguments in their entirety and proceed forthwith to approve the issue of Shanty Bay's wetlands permit.

The Supervisor presented the following financial report for the month of June 2020, as follows:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
JUNE 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	6,386,791.64	1,657,608.83	991,874.16	7,052,526.32	809,401.28
Hwy Checking	1,933,244.12	3,445.75	182,054.54	1,754,635.33	
T&AChecking	541,049.84	3,422,131.85	3,419,655.84	543,525.85	10,510.51
T&A Savings	12,235.80	0.32		12,236.12	
Hwy Cap Res	326,485.80	22,508.75		348,994.55	

WNW Supply	29,108.34	398.45	10,338.98	10,167.81	154,167.66
Taylor's Island	44,111.69	1.80		44,113.49	
Comm Preserv	936,058.52	171,359.24	15,077.34	1,092,340.42	5,900,965.52
Waterways	299,848.10	4,915.00		304,763.10	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St.Escr					371,126.69
Environmental					5,675.63
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	232,388.38	1.88		232,390.26	
Ambul Train	24,475.43	0.64		24,476.07	
TOTALS	13,063,444.32	5,282,372.51	4,619,000.85	13,726,815.98	7,251,847.29

RESOLUTION NO. 303

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

"Whereas", Nicholas J. Savage, Shorewood Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as latitude 41.4103114° north and longitude 72.7218904° 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 21st day of August, 2020, 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. 304

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

"Whereas", Karin Lissakers, 66 Peconic Avenue, has petitioned the Town of Shelter Island for permission to remove 110 feet of existing bulkhead and 102 feet of existing old landward bulkhead, and construct 102 feet of new bulkhead in-place of old landward bulkhead raising the top elevation to match top elevation of existing bulkhead section to west, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:42 p. m., prevailing time, on the 21st day of August, 2020, 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. 305

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

"Whereas", Hirsch & Co./Vincent Seddio, 26 Hilo Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay, 70 feet off applicant's dock, 150 feet south of the Dowling W-2242 mooring; said location is designated as latitude 41.035421° north and longitude 72.213724° 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 21st day of August, 2020, 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. 306

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

"Whereas", the term of George Zinger as a member of the Assessment Board of Review will expire on September 30, 2020, and

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

BE IT RESOLVED, That George Zinger is hereby reappointed to serve as a member of the Assessment Board of Review for a term to expire on September 30, 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. 307

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

"Whereas", the term of Mark Cappellino as a member of the Conservation Advisory Council will expire on September 20, 2020, and

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

BE IT RESOLVED, That Mark Cappellino is hereby reappointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 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. 308

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 received from 24 Asset Management Corp. in the amount of $5,277.70 to the General Fund refund from prior years 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. 309

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 $383.31 to Carr Business, 500 Commack Road, Commack, New York 11725, for the copier on the second floor of the Town Hall for the term of July 11, 2020 through July 10, 2021, as follows:

A1420.484	$127.77
B3621.484	$127.77, and

B3622.484 $127.77.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 310

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

"Whereas", pursuant to Town Code Section 36-14.2, John Damuck of Shelter Island Kayak, has filed an application with the Town Board for kayak guided tours, kayak and paddleboard rentals using 12 foot single kayaks, 16 foot double kayaks and 12 foot long paddleboards utilizing the Burns Road Town landing, and paddling in Coecles Harbor; also using Daniel Lord Road; deliver kayaks to other Town landings; using 180 square feet for parking the trailers and using Town landing ramp and beach, for the 2020 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 Damuck of Shelter Island Kayak 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. 311

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

"Whereas", § 129-4(A)(7) of the Shelter Island Town Code provides that an applicant is to furnish copies of Wetlands Permit application in a number to be determined by the Town Board; and

"Whereas", the Town Board wishes to emphasize and increase digitalization of the application process; it is therefor

RESOLVED that all applicants for a wetlands permit are to submit the application in digital form as a .pdf file' and it is further

RESOLVED that applicants shall provide 12 full size written copies of their applications and it is further

RESOLVED that upon request from the building department or town engineer, the applicant shall provide digital copies in such other formats as may be required.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 312

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

"Whereas", § 133-34(a) of the Shelter Island Town Code provides that an applicant is to furnish applications to the Town Board or Zoning Board of Appeals in the "form required"; and

"Whereas", the Town Board wishes to emphasize and increase digitalization of the application process; it is therefor

RESOLVED that all applicants for a special permit or variance are to submit their application in digital form as a .pdf file' and it is further

RESOLVED that applicants shall provide 12 full size written copies of their applications and it is further

RESOLVED that upon request from the building department or town engineer, the applicant shall provide digital copies in such other formats as may be required.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 313

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 5:00 p. m., prevailing time, on the 21st day of August, 2020, 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 Amendment to Chapter 126 Traffic, as follows:

"Whereas" New York Vehicle and Traffic Law section 1660(a)(8) authorizes a town to adopt a statute towing of vehicles found unattended where they constitute an obstruction to traffic or in any place where stopping, standing or parking is prohibited and for the payment of reasonable charges for such removal and storage by the owner or operator of any such vehicle; and

"Whereas", the Town of Shelter Island wished to permit the police department do address persistent and egregious violations of the Town's traffic and parking code, it is therefore

RESOLVED that the following shall be added to the Shelter Island Town Code as section 126-8.2

§ 126-8.2 Removal of vehicles parked in violation.

Any vehicle parked in violation of any provision of this Chapter or any other law, ordinance, rule or regulation may be removed or caused to be removed by or at the direction of any police officer of the Town of Shelter Island and, after such removal, stored or caused to be stored in a suitable place at the expense of the owner. The owner or person in charge of such vehicle may redeem the same upon payment to the Shelter Island Town Police Department of the amount of all outstanding fines plus the actual and necessary expenses incurred in the removal and storage of such vehicle. The Shelter Island Police Department shall ascertain, to the extent possible, the owner or person in charge of such vehicle and shall notify them of the amount which will be required to redeem the same.

BE IT FURTHER RESOLVED that section 126-11(A) Shall be amended to read as follows:

§ 126-11 Penalties for offenses.

A. A violation of § 126-8 or § 126-8.1 of this chapter or a violation of any other law, ordinance, rule or regulation shall be deemed a traffic infraction and shall be punishable as per the fine schedule adopted and amended from time to time by 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. 314

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

"Whereas", the Town of Shelter Island, has petitioned the Town of Shelter Island for a wetlands permit to remove and replace bath house and septic for Town operated public bathroom at Crescent Beach, and construct new pavilion on Town property designated as SCTM 700-13-02-5, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:44 p. m., prevailing time, on the 21st day of August, 2020, 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. 315

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 4:48 p. m., prevailing time, on the 21st day of August, 2020, 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 application of the Pridwin Hotel, 81 Shore Road, for a special permit for the renovation of all guest rooms in the main hotel with a reduction from 40 to 33 rooms in order to accommodate a new elevator, ADA bathrooms, and expansion of several undersized rooms, renovation of all public spaces in the main hotel, including expansion of the ground floor under the existing deck to provide a proper lobby, elevator lobby, and permanent fitness center, construction of seven new cottages to replace the guest rooms lost in the main hotel, replacement/installation of all flow fixtures for all showers and toilets, installation of new, state-of-the-art septic system for the entire property, installation of two new wells to replace four existing wells, installation of new sprinkler system throughout the main hotel building, replacement of all HVAC equipment with energy-efficient heat pumps and air handlers, expansion of on-site parking by 50% and increase of ADA parking by 150%, reconfiguration of driveways in response to neighbor requests during ZBA review, installation of drainage structures, and installation of landscaping and fencing as requested by neighbors during ZBA review.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 316

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

"Whereas", the Town of Shelter Island has received funds from the State of New York in the amount of $92,528.00 for the bulkhead replacement at Taylor's Island, and

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

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

$92,528.00 increase to the 2020 A3889TI State Aid Taylor's Island revenue account, to be funded by the funds received from the State of New York, and

$92,528.00 increase to the 2020 A8510.412 Taylor's Island dock repair 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. 317

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

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

$700.00 from the A3120.200 Police Department equipment account to the A3120.273 Police Department firearms and ammunition account;

$1,550.00 from the A8160.437 Landfill contingency account to the A8160.497 Landfill professional services account;

$7,100.00 from the A8160.442 Landfill purchase of bags account to the A8160.438 Landfill processed concrete account;

$500.00 from the A8160.437 Landfill contingency account to the A8160.484 Landfill office and miscellaneous account;
$2,000.00 from the A1490.410 Public Works grounds maintenance account to the A5010.400 Superintendent of Highways office and miscellaneous account;
$750.00 from the DA5130.246 Highway Machinery equipment account to the DA5140.489 Highway Machinery equipment rental account;
$300.00 from the A1490.479 Public Works boat maintenance account to the A1490.411 Public Works buoys and lifelines account;
$36.00 from the DA5130.441 Highway Machinery fuel account to the DA5130.284 Highway Machinery horizontal brush grinder account; and
$200.00 from the A1490.122 Public Works double time personal services account to the A1490.497 Public Works professional services account; and

BE IT FURTHER RESOLVED, That the following 2020 budget modification is hereby approved:
$2,000.00 from the Waterways Fund balance to the A5710.400 Waterways 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. 318

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

BE IT RESOLVED, That 2020 general claims numbered 1025 through 1153 in the amount of $105,026.05, 2020 Community Preservation Fund claims numbered 20 through 21 in the amount of $71.09, 2020 highway claims numbered 130 through 141 in the amount of $2,283.28, and 2020 West Neck Water claims numbered 21 through 24 in the amount of $5,456.68 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 4:54 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 $13,000.00 COVID funds the Town expects to receive.

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: any comments from the Town Board, any comments from the public, this is just to authorize the spending of the money that we are getting back.

The Supervisor declared the public hearing closed at 4:55 p. m. and called to order the public hearing to be held as advertised on the application of JBH of Peconic, Inc., AKA Robert Waife, 9 North Ferry Road, to install a private mooring in West Neck Creek off Daniel Lord Road at a location designated as 41.067649° north and 72.353859° west; said mooring location was formerly occupied by the W-0290 Armstrong 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: WMAC met on July sixth, to approve the assignment of mooring number two ninety and it went through unanimously, six zero, twenty-six foot boat, work boat that is there.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:56 p. m. and called to order the public hearing to be held as advertised on the application of Charles Spooner, 29E Osprey Road, for permission to install a mooring in Dering Harbor at a location designated as 41.08747° north and 72.34544° west; said mooring location was formerly occupied by the D-2310 Waife 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: it was approved, I just don't have the vote.

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 4:57 p. m. and called to order the public hearing to be held as advertised on the application of Ari J. and Margarita Benacerraf, 8 Harbor Lane, Dering Harbor, for permission to remove and replace approximately 287 linear feet of existing timber bulkhead and/or concrete seawall (in-place and up to +/- 8 inches higher) with vinyl bulkhead, construct +/- 12' vinyl return, backfill with approximately 40 cubic yards of clean sandy fill to be trucked in from an approved upland source, and replant as needed any disturbed portions of naturally vegetated embankment with native vegetation.

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: that was approved six zero, note that the bulkhead is going eight inches higher, people are looking to replacing bulkheads because of the rising sea level, it's always advantageous, they did the same thing down at first bridge where we raised the mooring around Volunteer Park fourteen inches, so where we can do it, we advise you to do it, it's a good move, it went through 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 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 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 proposed dock exceeds the maximum length of one hundred feet and the application is lacking the setback measurements and the possibility of, including a hardship letter, the application's representative will be invited to the next meeting, no vote was taken, it was tabled but we have been in contact with Carroll to inform of their deficiencies.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: so Bob do we close this or recess it, you're on mute; you should recess it at this point; okay.

The Supervisor declared the public hearing recessed at 5:02 p. m. and called to order the public hearing to be held as advertised on the application of Rob Bannon, 27 Sunnyside Avenue, for permission to install a mooring in Dering Harbor at a location designated as latitude 41.08608° north and 72.34453° west; said mooring location was formerly occupied by the Heiman D-3130 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: the Waterways met back on July 6th, by a vote of five, zero, one, it was approved, the one abstention was Mike Anglin who recused himself because he is the installer of the 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 5:03 p. m. and called to order the public hearing to be held as advertised on the application of Michael Hodor, 16 Lakeview Drive, for permission to install a 14' by 7.5' therapeutic portable spa tub.

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

The Supervisor called for a report of the Planning Board, which was as follows:

10 July 2020
Re: **Hodor Special Permit Application**
16 Lakeview Drive
Shelter Island NY 11964
SCTM #700-19-02-56.1
Zone A Residential

We are in receipt of a Special Permit application from Michael Hodor requesting permission to install a 7'-6" x 14'-0" therapeutic spa in his back yard for medical reasons.

The proposed unit is prefabricated and self-contained in the style of a hot tub.

Per the overlay on the survey prepared by Hands on Surveying, the tub's location will be compliant with A Zone side and rear yard setbacks.

The spa technically meets the Town definition of a swimming pool, "An enclosed container of water more than 10 feet in length with a depth of 24 or more inches", meaning Town Code requires the installation of a dedicated dry well and proof of offisland water delivery.

The applicant indicates that the proposed self-contained spa has a capacity of 1,660 gallons of water. A 10' by 10' hot tub, 4' deep, one that would not qualify as a swimming pool under Town Code, can hold as much as 2,990 gallons. In his Denial Letter, Senior Building Inspector Tehan notes that an off-island water tanker carries 8,000 gallons which would require the homeowner to pay for a full load of water to deliver less than one quarter of the tanker's capacity.

Additionally, the therapeutic spa described by the homeowner, has a fixed lockable top that will be secured when not in use.

For the above listed reasons, the Planning Board recommends approval of this application.

By:
Markus Kaasik, Planning Board Member
Meg Larsen, 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: Mr. Hodor would you like to say anything; if you have any questions, basically the Town Code doesn't take this kind of thing into account __ but essentially it is a hot tub so it qualifies for a pool ___; and it's a self-contained unit; right.

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 proposed Local Law entitled mechanical equipment.

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

The Supervisor called for a report from the Planning Board. No report was received.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: the ZBA is the one that suggested this change; right, okay, this is the one we went on site and looked at the HVAC mechanicals and took decibel readings; Scott Schlessinger, eleven Montclair, I am speaking in favor of it; okay, and the reason we picked the decibel level that we did is this is based on the manufacturer's specs that this is the minimum they are gonna put out and actually when we tested them, they were quieter than the seventy-four decibels.

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 the application of 6 Daniel Lord Road LLC, 6 Daniel Lord Road, for a wetlands permit to remove existing site improvements from within regulated area.

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:

29 July 2020
Re: **6 Daniel Lord Road LLC Wetlands Application**
PO Box 3021
SCTM # 700-18-02-19
Zone A Residential
Within Near Shore and Peninsular District
We are in receipt of the Town of Shelter Island Wetlands Permit Application prepared by Matthew Sherman and dated 5/28/2020 to demolish and remove the existing foundation of the property's primary structure, a single family non-conforming residence built circa 1890, in the Town Wetlands regulated area, and move it landward to a conforming location. Once moved it would be renovated and enlarged with additions, including a larger foundation, basement, 3 new porches, and a new terrace. The proposed construction is located on the banks of West Neck Bay.
The existing single-family house is a non-conforming 3 story structure, approximately 39.4 feet in height. The proposed relocation would reduce the height to 37.7 feet, bringing it closer to the current town height limit of 35 feet. The property has accessory structures including a gym attached to a garage/studio, a barn, a shed, a pool with pool house and decks, and a dock, all of which appear in a good state of repair.
The proposed renovations would add approximately 437 Square Foot Living Area, 1,001 square feet of new porches, 250 square feet of new terrace, and 3,443 square feet of new, unfinished basement. The new location would conform to zoning and wetlands setbacks.
Note: Existing and proposed heights and SFLA are as calculated by Robert Lund Architect drawing A-001 dated 3/31/20.
The DEC has issued a Letter of No Jurisdiction dated December 21, 2018--UPA #1-4732-01083/00003 based on all proposed work being landward of the 10-foot contour line.
The Suffolk County Department of Health Services issued permit #R07-18-0051 for a upgraded sanitary systems. The permit is for three IA sanitary systems: one larger system (Cen10) for the house; one smaller system (Cen5) for the Accessory Sleeping Quarter "Dugout" (this is described as having a below grade connector to the house); and one smaller system (Cen5) for Gym/Garage. These three systems are permitted for a total of eleven bedrooms.
The ZBA is not involved with the project because the structure is becoming more, not less, conforming with zoning regulations.
A Town Wetlands permit is required only for removal of the existing dwelling, foundation, porch and deck from the regulated area. The relocated dwelling and other improvements will be outside of the regulated area and would not require wetlands approval. The project is itself mitigation.
Planning Board members visited the site on July and found that the work proposed would be an improvement over the current situation, and would not have any negative effects on the wetlands or regulated buffer, provided workers observe common practices to avoid damage, such as erecting temporary wire-backed silt fence, stockpiling soil and materials outside of the regulated area, and minimizing activity generally in the regulated area.
Furthermore, the owners propose replacing the existing, conventional sanitary system, with a new 11 bedroom I/A system—both existing and proposed are outside the Town Wetlands regulated area.
As noted above, the applicant has stated that the total of habitable (conditioned) space is 5,833sf, just under the Special Permit threshold of 6,000sf. No dimensioned drawings or more specific detail has been provided. The new Garage with a mezzanine office is now heated. The connector between the Garage and Gym is also conditioned. The existing house is being expanded. The Town Board may wish to request a more detailed habitable space breakdown.
In light of these considerations, the Planning Board has no compunctions about recommending this project move forward.
By:
Reed Karen, Planning Board Member
Ian McDonald, Planning Board Chairman
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 here for Daniel Lord Road, ____ wetlands project, __ the house from the 100 foot setback, we're moving it landward so it's outside the hundred foot setback because ___ get a wetlands permit to move it outside of the wetlands area, it's really a good step forward, the IA septic system has been approved by the Health Department, we have a letter of

non-jurisdiction based on the elevation and that building off to the end is just kind of a _ __; okay, great.

The Supervisor declared the public hearing closed at 5:10 p. m. and called to order the public hearing to be held as advertised on the application of South Ferry, Inc., 127 South Ferry Road, for permission to remove several existing buildings, construct new maintenance barn with office, meeting room, sanitary facilities and work areas.

The Supervisor reported that South Ferry has pulled their application, therefore the hearing will not be held.

The Supervisor called to order the public hearing to be held as advertised on the proposed Local Law entitled Parking on Bootlegger's Alley.

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: we're taking this one step at a time and that may frustrate people but there was no doubt that allowing parking on both sides of Bootlegger's Alley was not __ for emergency vehicles or the boat ramp, people bringing boats down the ramp, not that it happens often, they're not launched there a whole lot but you never know when you need an emergency vehicle going down there and we realized that limiting parking to one side of the road, the road is only seventeen feet six inches wide and that's basically all it is and there's a good opportunity on the north side of the road to get vehicles completely off the road, obviously we are very sympathetic to the homeowner that lives on the north side of the road and the Town Board has committed to looking at parking at all of these areas including Bootlegger's Alley and Crab Creek and Reel Point and all over the ___ late summer or early fall, this has become an increasing problem, not just for Bootlegger's but across the Island and we are going to take a hard look at that, we need to be a little bit more consistent, people that live there have often brought up a couple of factors, number one, people sleeping in cars overnight, that has been alleviated, __ get an emergency vehicle down there, that's been alleviated, giving parking to Shelter Islanders on the south side of the road where you can probably put about seven or eight cars in there, not that many more people would use that area, especially on weekends, thank God and the porgies are not running and the problem has been somewhat self-correcting and the fact that instead of having twenty-five cars there and a hundred some odd people there, last weekend, most of the time I was down there, there were four cars without stickers on the north side of the road and one car on the south side of the road that had a Town sticker on it and probably less than two dozen people you know on the beach and as I went down there several times on the weekend, most of the people were below the mean high water mark but for parking purposes, the question has been asked of the Town Board, how did they possibly as Menhaden Lane, required Town beach stickers for that facility and why can't we do the same thing at Bootlegger's Alley, it's an interesting question, it's a question that needs to be addressed and we promised the people that live on Bootlegger's Alley, the Supervisor has made that public weeks ago that he wants to get the Police Department involved, Brian Sherman involved and as a Town Board, we're gonna take a look at it across Shelter Island on this parking issue because simply it is not just an issue that's characteristic of Bootlegger's, people out at Big Ram are objecting to the amount of cars and sometimes you know if you go down there and have three or four cars, it pretty much fills up all the available spots, you know safety-wise but when you start coming down there with a dozen cars or more, it becomes you know really a safety issue, it wasn't really made for that kind of situation so that's my remarks, you know, it's been an interesting year, I want to thank Brian Sherman, I think the Supervisor has done a lot of work with the Police Chief, Chief Read, our Police Department has spent a lot of time down there and we don't want to keep doing this year after year, we need to come up with something that's fair and equitable, as a homeowner that's just a little bit down the road at Crab Creek, you also see the problem down there, on a given day when the people are parking on both sides of Peconic Avenue near the Crab Creek area, it does represent somewhat of a safety issue so we have lots, this is gonna be you know, a fairly extensive look at our parking situation and basically that's all I can say; good, Chief can you share that screen again; Mr. Supervisor, my only comment, I didn't see the resolution, I just want to make sure that it reflects what is on the screen; yes, so it's taking away all the parking east of Peconic Avenue extension and just have the parking where the green arrow is; right; south

to the bulkhead, comments from the public; yes, Duke Foster, Bootlegger's Alley, I wish to thank the Town Board, I have had several trips by ambulance to the ferry and when I became aware that an emergency vehicle might not be able to get down there, I said thank God I'd never do that, at the time when we had the parking problem, and the same for fire engines and I came in to thank the Board for their action, the following comment though is we're not finished as Jim has said by a long shot and I still wish that we would be able to survey where the signs at the south of Bootlegger's Alley that are placed, that are supposedly at the mean high tide mark, I still I believe twenty feet high but thank you for doing what you have done; and Mr. Foster, just to follow up on that, we did contract with the surveyor to; Michael Hemmer; yes, to mark both sides of the landing; I hope he will shoot the locations of the signs; right; to determine whether or not they are in fact at the mean high tide line; so everybody understands that Gerry thought that was very important that the Town Board endorsed that, that there would be two markers on either side of the landing and it would be surveyed to establish the mean high water, one you have those two, you can literally shoot, as __ said, as far down as you want, well past his property and the neighbor's property back down to the Silver Beach property and you could actually to where the high water mark should be, we do realize and Jim has said this over and over again, that it is a dynamic situation with the change in the tides, you know, year after year, but something that is kind of important, the Town is willing to make a commitment to put the two monuments in, those two monuments will be permanent monuments and we could always ___ down the beach, the idea is that all those along that area do own up to that mean high water and people are doing a better job of staying below it and this problem happened, not just this year, this happened for the last two years where people were spending overnight, campfires late at night, music playing and it became a problem, we have a, obviously a bigger problem than that just on the Island, just with bathrooms, putting porta-potties down there is not the ideal situation, I don't think everybody appreciates it but that's why in the comprehensive plan, we are gonna take that up as issue because this is an Island that attracts people outside of Covid-19 __ for bikers, hikers, people coming over to enjoy the beaches and whatever and you get a daily pass which on a normal year you can get, you can't get this year and that's hurt us, we need the facilities, Volunteer Park was an answer to a bar owner across the street and he was very patient for a long time, threatening a lawsuit and guess what, he got what he wanted and he got the Town to respond and we don't want to be threatened with lawsuits from people, to do the right thing and the right thing is, we need public bathrooms on Shelter Island, especially for the large crowds in the summertime; question, when are the porta-potties gonna to disappear; that's a good question, we'll have to talk about that at Tuesday and make a decision and I think really the crowds have subsided enough down there and I just want to make sure the neighbors know that this is, while we're moving forward with this, it's not written in stone, I mean, we're gonna keep evaluating it and if we have to change it again, we will, okay, Sandra do you have something for us; so when will Mr. Hemmer do his work, will it be in the next month or; I would think so, I mean we contracted with him so it's just a matter of his schedule; okay, and just explain again the homeowners on either side will be able at their expense to use his monument as; yes; a; yes that's the starting point; as a starting point, okay; and the Silver Beach Association actually will also think about you know, using that for our property that goes past Duke's house, it takes up probably eighty percent of that stretch there ___; and so will Mr. Hemmer do that and then just, would we contract with him; yes, it's something that once those monuments are in, __ go down there and meet him, I'm sure that the two homeowners would like to know that and people that live on the north side might also want to know that so that we; yeah; we'd love to be able to feed off that cause that should be something that is very __ and he could do it in a day, north and south at the beach; I'd like to state our position on those monuments, the Town's monuments will be at the landing only; right; right; right; we don't want to overstate our ability to figure out how much further south we can go predicting tidal lines without those homeowners contracting with the contractor to do that themselves so I'm very reluctant to overstate our position as a Town; well taken Jim but it's a possibility that we might be able to engage the contractor when he is there; I just don't want to let Duke and the neighbors think that because we put two monuments at the end of the landing, that they would be able to project down the beach all the way to the Silver Beach property, I don't think that would be the case; okay; and the comments that the Town Engineer said, yes he can do it; alright, we don't want to commit ourselves to something; that's a good point, sit down with Mr. Hemmer and ask if it was feasible to do that and that we concur; any other comments on this; I have a comment about whether we'd be able to use other Town landings like Bootlegger's, are you gonna have enough time to do, I mean how expensive; the Chief has already started a, having the patrols document usage at the different locations on the Island, make a spreadsheet for us so we can identify you know, and a lot of it comes down to you know, what is the what do we want, do we want to have you know, restricted parking, do we want to have beach sticker parking, do we want to have no parking so the Police Department is trying to give us the information so we

can make some intelligent decisions; that would be important to have a spreadsheet; that's exactly what they are doing; for every single Town landing beach; right; __ you know, dogs and everything; I don't think we'll get that involved, they're doing cars, they're doing people, they're doing tents; ___ to recognize __ Bootlegger's to Menhaden; right; and then you have real ones like __, so Reel Point is nothing; yes, right now, we don't want to try to do each landing that comes up; that's what I'm saying how much time will this study take; well I mean, the Chief just put up on the screen; again, I don't want to give a misperception of what we're trying to accomplish, I don't know if we want to include the parking discussion first, this is a different part of the conversation, the work that we're doing at Bootlegger's, Section Nine and Reel Point are, we're looking at the time of day, number of vehicles parked, are there tents on the beach and the number of people on the beach, I'm not sure who in the audience is asking that question but I don't want to over-speak but the Police Department is collecting the data and that's not fair, that's all I'm trying to say; we're identifying the key areas that are problems but we're gonna address every Town landing when we discuss it and when are we gonna do it, we'll do it quite honestly probably after we do the budget cause budget season's gonna be a little tough this year which is, if we started it now, we'll finish it by October; we're starting earlier; we've been collecting data all summer, it's already started; right; and so the end of the __ will be the end of October, is that what you're suggesting; probably and that's my _; we've got summer and partial fall; yes; okay; you seem to know the places where nobody goes there anymore; yes sir; I was just going to ask Chief Read if he could put back up the diagram of the, street view; yes; cause I have a question, there we go, so my question is when you look at the green area which is for permit parking; right; as the proposed convocations are; right; at the current time, asking herewith, the area that borders my property which doesn't have any color on it; right; we're gonna watch it, that would be the area where there would be free parking for anyone off Island would be able to come and park which I think everyone knows I'm opposed to, my question is, why is the green area which allows for permit parking so much smaller than the huge amount of space for off Islanders to park, doesn't that seem to be unfair to the taxpayers that are living here and paying taxes and buying permits and so forth, that they have, no pun intended, the short end of the stick here on that; it's been our observation so far that the majority of the people aren't residents, the resident side has never been filled but they can also park on that other side; __ observation, any Board members or anyone, it is not consequential to the __ aspects; but they are entitled to the parking in the non-restricted area also; I understand that but if the area invites off-Islanders to come throughout June, I understand it has tapered off; yeah, there's no question about it, then the issue is that during the height of the season, will on Islanders feel like this is not a place where they like to go to the beach to because it's inundated with off Islanders; yeah; and the fact that it is tapered off right now, we know come porgy season and I think Matthew pointed out that in August and September there is another run of stripers and blues; blues; blues yeah, that there might be a return wave for why do the on Islanders get cheated; I think this is gonna be part of our discussion with all the Town landings, like I said, we're not done at Bootlegger's, maybe there's just too much parking there so; I understand that you're not done with this and you will focus on this in the fall, and I appreciate it as a global project; just to let you know, wearing the other hat, I took the members of the Board out at several occasion to Crab Creek, we went to several locations but we went to Bootlegger's and Crab Creek, __ the problem when it comes to non-stickers so if you see eight or ten cars down there, eighty percent of them do not have beach stickers down there, they're there for the day ___ and people are flocking there, one of the concerns that some of the people had and we'll bring it up to the Board is the idea of getting a day pass, in a normal summer you can get a day pass, this summer you can't but in the future when we're open five and a half days a week, we're open Saturday mornings and obviously Monday through Friday but what happens when somebody comes out and wants to go to one of those beaches on a Saturday afternoon or a Sunday, well theoretically, I know Dot is sitting here on the other side, the Town Clerk has always allowed B and Bs, the hotels, the real estate offices to purchase, if they wanted to buy twenty of them at the beginning of the year, the day passes, as long as they register the and if they use fifteen of the twenty, at the end of the season they would hand those five back in and the Town would reimburse them for the five, so to get away from that myth that a person who is renting here or somebody who is coming here for the day, has access to this building to get a Town pass, provided they are staying here on the Island, either renting or B and B or a hotel, the people that are coming off Island that would represent, unless they came out during the week and changed some type of week long pass or something of that nature, so it's a factor that should be in the equation as we start taking a look at this, this is an important factor because that person who is a real estate person said she didn't even realize that you could even do that when you can, in the Town Clerk's office, on a normal summer, has been working with these renters to be able to do that very thing, the three people that are staying here on the Island ___ the ability to purchase them;

right; but isn't it the intent of the Board today to codify what has been a temporary parking situation at Bootlegger's, is that the intent for today; yes; yes; so if that's the intent for today, don't we have we want to understand the rationale behind offering off Islanders so much more parking space in a residential community as compared to the permit area; __ residents; every problem is unique, I hate to go back to Crab Creek, the parking on Peconic is different than parking on Crab Creek, Crab Creek has a shoulder on both sides of the road running east and west that is eighteen feet wide, with two cars on the shoulder; right; Peconic very narrow, very hilly, very windy especially the entrance to Crab Creek so what we did last year is, the Chief went down there, I met the Chief down there with Brian Sherman and we put a fire lane in, for no parking so kids running out with their boards in their hand between cars didn't get run over, so safety is always gonna be paramount in my eyes as a Board member, when you look at, making recommendations, homeowners are important obviously but so is safety and decisions have to be made on a multitude of reasons including bringing up about parking for people who are either full time residents or people who are seasonable residents; and I agree with you, safety should always be the number one priority and I'm curious to know how allocating as you say seven or eight spots in that green session on the street provides extra safety to have off Islanders parking on the north side from all the way up Bootlegger's, how that __ scenario and vice versa; I can honestly say safety, we actually saw it, on an average weekend, ten cars on Bootlegger's and let me, with green stickers on there, we would have thought about five or six cars down there and extended the first one hundred feet off or fifty or a hundred feet, wherever it's __, _ for parking for those people, we just didn't see that, we see it during the week where you might get a few more people from the Town but for some odd reason, maybe it was because of the infection or, Covid-19, people chose not to go to that beach with a green parking sticker, if you went down there on any day, I went down and sometimes we saw one or two, that was it, you didn't see, and __ by the way, most of the people that drove down there with beach stickers were ___, they all went down, drove around, made a U turn, took a look, took our cameras out, people took pictures and drove away, they didn't go to the beach there; well right, til the circus in June; right; in other words; my take on all of this is a little different; sure; we wanted to go with something that was a half way measure, we didn't want to jump to the one that was most restrictive place, we wanted to see if half way measures, doing one side for residents and one side for residents and non-residents, to it's not that residents can't park, it's not like we're giving more space to non-residents, anyone can park on that side so it was a half way step, let's see how this works, let's see if this alleviates the problem, we're trying to address a specific issue, we're going to pick it up again in the fall so we're listening to what you have to say, we're going to consider all of them again, we just wanted to get to a place where once the emergency orders get lifted, that we had something because this was a hot spot at the moment, we wanted to make sure that something stopped so that we wouldn't have to just remove everything at once and then it was back to a free for all, so yeah, when the blues start running and more people come back, we have something there instead of nothing; in other words, what's the rationale Councilman, on the, this is a test as you say, we're codifying law but in essence it's a test til we get to the fall, I appreciate that but what I don't understand is, what exactly is the benefit to the Town and the residents in doing this test as opposed to what I'm suggesting, in other words, if you switch the green and the empty space there, hypothetically, and then you said well gee the people coming from off Island don't have enough places to park on Bootlegger's and not gonna have access to the beach, wouldn't they still have the right to say, park farther on West Neck for example and walk, as opposed to the residents walking to the beach, why would that be; I think what you have to understand is what Amber brought up, I forgot quite honestly, is that you know, this was an emergency declaration and when the Governor pulls that, we would have had nothing so we're just trying to put something in place so we continue to have some regulation down there and we will, again like I say, it's not written in stone, it's not done, we're gonna revisit it, we have to do something now and the reason we're adopting it cause hopefully the Governor is gonna lift all those executive order; well as an attorney, I don't understand any law that requires you to codify this right now, wait til the fall then when you've done your studies, but if you; but here's the reason; let me finish; I understand what you are saying but if the Governor rescinds all of his executive orders tomorrow, we have nothing there, nothing, everything goes back to craziness; if he rescinds, but he hasn't; no, but he could; and when we started this; __ we have nothing there, we have an entire north side to park anybody who wants to come there or until you make some; to park anywhere they want; so we have re-opened this, our north side to anybody to come and park, that's what you're telling me; no, I'm telling you is he rescinds the order, re-open all of Bootlegger's Alley to anybody, the entire road, that's the way it was, exactly; all the parking signs would come down; everything comes down; speaking of the parking signs, are you gonna, we noticed today that the paper ones got put up; we ordered new ones; __; we're concerned with, initially we didn't, initially we were optimistic that we weren't gonna be in emergency orders through, into this far into the summer so the process for

putting something in, takes six weeks so that's why we started what we did and have been trying to just get something in case, I mean at this point, if the Governor pulls the orders, I don't know, I feel like it's never gonna end but I'm getting pessimistic lately; we never thought it was gonna last this long; exactly; if the Governor pulls the order, then all of the signs disappear; yes; yes; on Bootlegger's Alley, it goes back to the way it was before; right; based on the Town's emergency declaration based on the Governor's allowing us to do that; then we will continue that through the winter to maybe some time in the spring when the Board will make a decision as to what the Code will say; we'll keep that in place til we decide what we want to be, what a better fix is; yeah we want to pick this up in the fall so we don't want it to be next spring that we're dealing with this again but for the time being, for the time being we just want something in place to carry us through, that's really; until the Governor lifts it; and I hear your point about why this instead of something more restrictive; exactly; and that's something we acknowledge, I'm not saying, we have to address it, we don't; I apologize, I just; no, I understand, so the language in this Code when it is passed today; right; has to be, is the intent, is gonna be subject to the emergency orders of the Governor; no, oh yeah, yeah, yeah; no, no, no, it replaces it so that piece of the emergency order, we don't have to worry about, once, an emergency order piece can get lifted, we now have legislation in place; Bob do you want to jump in on this; I'm sure __ the language, I apologize for, we put the parking passes in, in relation to the emergency, if for some reason the state of emergency dissolves tomorrow, all of those parking regulations go out the window __ maintain them at this point is to put them into legislation, if we don't pass the legislation and the executive order goes away, the parking regulations go away with it, this is essentially a safety valve to make sure that things that are right now, you just don't know what the State is gonna do so, and what particular regulations will get added or taken away so we're just doing this to make sure the parking regulations stay as they are at least until we can __ approach to all the Town landings; okay, any comments, yes sir, speaking as a novice, is it realistic to think that a blanket approach to every, to all the beaches; no, we're not gonna do that and I say we want to address each one, I mean we'll specifically address each one but we don't want to do one at a time as they come up to us; okay, I understand, that's a good point, thanks for the clarification; anybody else, yes ma'am; I realize it's a Bootlegger's discussion but I'm very relieved to hear, I walk the Reel Point area quite an amount and Reel Point and Reel Point was once owned by Judge Stern who turned it over to Peconic Land Trust so the Town has it now and it was sort of, well you know the County bought it, a couple of us would come and walk it, it was a pretty, I guess you could call it, people bring a boat or zodiac, it was a passive calm area and a lot of residents spent not very fun times planting beach grass and it was environmental, it had issues as you all know and I have to tell you, I haven't been there as much as I usually did but the other day I went there, I did not have my cell phone, there were eight cars, both sides of that tiny opening, I guess if you needed an ambulance or something, no one could have gotten through; that's a good point; they were parked on, we know the people, their name is Hakim, they were parked on their land, they were parked across the street, there were a ton of people on the beach, there were tents also, it is an issue, there were also a ton of litter, it was a sight, I did not have my phone, unfortunately, and you know, I am concerned, it should be for local use, it is not the most stable of areas and the tents just flipped me out so that's Reel Point, I'm glad you're gonna be addressing that, another thing that's happened is, someone on the causeway, the first causeway, some of them pull in places, which are fine, you can get out and take a little walk, sometimes people __ they are hanging out there; right; so that's an issue and then on the second causeway which is really, you know, the Town was nice enough once you guys put no parking signs up for us, a lot of them rusted and stuff, and then I think it was Mark Ketcham who was kind enough to put boulders so people don't wreck all the revetment work, and I noticed a van, and the next time I will call the Police, who pulled out and was there from nine in the morning way into the evening, you know the causeway is narrow and there's so much traffic and, bicyclists and people, that it's not only not good for the whole banks and what's going on in terms of holding things together, it's kind of; a safety issue; ___; and that's one of the spots that we are documenting; I'd like to say, just a point of clarification, Reel Point is still owned by Peconic Land Trust; it is; yes, we have permission to enforce camping and anything happening below the high water mark, we have gotten permission from PLT and then of course the road, where the Town road picks up, then we have jurisdiction of that; we kept that chain up pretty much constantly because the fragile ___; sure, sure, of course; when we did the dredging in the fall, we put the sand down the spine, a lot of it but it goes, it was nicely graded; now it is ___; but we don't want vehicles out there you know, everything is generated here ___ safety, if any, and we encourage residents, anything that you see out there that there's a safety concern, if you could make us aware of it ; I'm calling when that van is there and the other thing I heard, there's a whole group that goes swimming at Menhaden and they swim right on to Section Nine, pretty far up and I just haven't had __ on the phone, she said please tell people and sometimes there are tents there at six-thirty and seven-thirty in the

morning; okay; I mean I; it's a big issue, it's more than just the overnight sleeping in the car, it's tents; and what happens, no bathrooms; it's a lot of issues; okay, thank you, is Section Nine for a special problem because it's owned by the County; yes; how much jurisdiction does the Town have; none and if you go down to the other end of Section Nine, over by Menhaden, there is actually a sign that says it's a County Park; right, and there's a little parking lot; yes, right; that was a nice addition right there, a very nice addition, we just wish the County after all those trees were cut, picked up some of the debris that was in there because in the hot season if somebody dropped a match in all that timber there and we never did make an arrest even though we were pretty much one or two houses that were responsible for that but __ proof; so then the Town really can't control anything that goes on at Section Nine; no, no we didn't get involved with Section Nine; okay, that's what I thought, __ just let us know; oh okay; ___ and I think Connie Fischer ___ I'm not sure that I heard anything that that white van was doing illegally, please don't call us unless they are doing something illegal, if they are just parked on the shoulder of the road; if he's sticking out, if he's sticking out; if he's in the roadway, then Connie yes; exactly; you understand where I'm coming from; sure, I mean people pull up all the time, they look, whatever but as you know there used to be plantings on both sides of the road and there isn't any more because people wear that down to the point and you know __ the causeway, you need everything you can to hold it and so I think someone hanging half way off the road and you know they're there for twelve hours, they're not just there for half an hour looking; okay we kind of got off the subject so we'll close the hearing.

The Supervisor declared the public hearing closed at 5:47 p. m. and reconvened the recessed public hearing on the application of Tom Field for a stake, mooring and pulley system.

The Supervisor reported that he does not think that we actually have an application before us; so I think we're gonna close that hearing. That application was for a stake, mooring and pulley at Simpson Road, currently there's no room at the proposed location. The Bay Constable is working with Mr. Field to try to, survey that Daniel Lord Road area for a possible vacancy so we're hoping that Mr. Field is in contact with Mr. Vielbig and they're working on resolving that. As soon as they resolve that and find a spot, bring it back to the WMAC and we'll approve it. Mr. Field called yesterday and he said that if he can't get something you know for the applied for place or like at Daniel Lord Road, he would like to get his application fee returned. Again I don't think there is an application before us. It is the original application. There was. The message you want to get to Tom is to please get a hold of Peter and let the two of them go down there, we're trying to accommodate him and try to be helpful so together if they could go down there. Okay. We have to try and work this out. Okay.

The Supervisor declared the public hearing closed at 5:48 p. m. and reconvened the regular Town Board meeting.

Mr. Bob Kohn gave a presentation concerning Shanty Bay.

RESOLUTION NO. 319

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

"Whereas", JBH of Peconic, Inc., AKA Robert Waife, 9 North Ferry Road, has petitioned the Town of Shelter Island for permission to install a private mooring in West Neck Creek off Daniel Lord Road at a location designated as 41.067649° North and 72.353859° West; said mooring location was formerly occupied by the W-0290 Armstrong mooring, and

"Whereas", a public hearing was duly held on the 31st day of July, 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. 320

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

"Whereas", Charles Spooner, 29E Osprey Road, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as 41.08747° north and 72.34544° west; said mooring location was formerly occupied by the D-2310 Waife 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 31st day of July, 2020, 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. 321

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

"Whereas", Ari J. and Margarita Benacerraf, 8 Harbor Lane, Dering Harbor, have petitioned the Town of Shelter Island for permission to remove and replace approximately 287 linear feet of existing timber bulkhead and/or concrete seawall (in-place and up to +/- 8 inches higher) with vinyl bulkhead, construct +/- 12' vinyl return, backfill with approximately 40 cubic yards of clean sandy fill to be trucked in from an approved upland source, and replant as needed any disturbed portions of naturally vegetated embankment with native vegetation, and

"Whereas", a public hearing was duly held on the 31st day of July, 2020, 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, 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 322

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

"Whereas", Rob Bannon, 27 Sunnyside Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in Dering Harbor at a location designated as latitude 41.08608° north and 72.34453° west; said mooring location was formerly occupied by the Heiman D-3130 mooring, and

"Whereas", a public hearing was duly held on the 31st day of July, 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. 323

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

"Whereas", a public hearing was duly held on the 31st day of July, 31, 2020, on a proposed Local Law entitled Mechanical Equipment, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 3 - 2020 entitled Mechanical Equipment, is hereby adopted, to wit:

Section 1. Add the following Section 133-30-1 Mechanical Equipment:

Mechanical equipment incidental to the use of any building may be located in the front or side yard so long as that equipment is:

A. As near as possible to the structure in accordance with the manufacturer's recommendations; and

B. Has listed DbA rating of 74 or less; and

C. Is maintained in such a condition so as not to increase the noise level.

Section 2. 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.

On motion of Supervisor Siller and seconded by Councilwoman Brach-Williams, the Town Board went into executive session at 6:18 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 approved.

On motion of Councilman Bebon and seconded by Supervisor Siller, the meeting was adjourned at 6:29 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

The motion was approved.

Dorothy S. Ogar
Town Clerk

August 4, 2020

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 4th day of August, 2020. 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 Clerk Dorothy S. Ogar and nine persons were present.

Supervisor Siller polled the Town Board for permission to hold said special meeting and waive the provision of notice.

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 approved.

This meeting was conducted on Zoom.

The Supervisor called the special meeting to order at 2:01 p. m.

RESOLUTION NO. 324

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

"Whereas", North Fork Aquaculture, Inc. 87 North Ferry Road, has applied for a liquor license, and

"Whereas", North Fork Aquaculture has requested a waiver of the 30 day advance notice requirement to the Town, now, Therefore

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

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 325

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

"Whereas", Michael Hodor has applied to the Town Board to install a 1660 gallon, 14' by 7.5' therapeutic portable spa with a retractable cover at 16 Lakeview Drive Shelter Island, New York, which is Zone AA Residential, Near Shore and Peninsular Overlay District on the Shelter Island Zoning Map, and specifically described on the Suffolk County Tax Map as 0700/19/2/56.1; and

"Whereas", it was determined that a special permit is required under §113(5)(B) of the Town Code wherein this spa would otherwise be considered a swimming pool and subject to dry-well and water delivery requirements; and

"Whereas", the proposed spa is smaller than many hot tubs which would be exempt from the statute and is being installed for a therapeutic purpose; and

"Whereas", this Board considered the application and accompanying documents at a public hearing, pursuant to notice, on July 31, 2020; and

"Whereas", this Board now wishes to render a decision on this special permit, now, Therefore

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

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF Parts 1 and 2 and the Negative Declaration; and

BE IT FURTHER RESOLVED, That a special permit to construct new 1660 gallon, 14' by 7.5' therapeutic portable spa with a retractable cover at 16 Lakeview Drive, Shelter Island, is approved as requested; and

BE IT FURTHER RESOLVED, That the project is subject to the following conditions, and failure to meet these conditions may be the basis for issuing a Stop Work Order on the project until the failure is corrected:

a. There is to be a cover installed above the spa when not in use; and

BE IT FURTHER RESOLVED, That this approval shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That a copy of this approval shall be filed with the Building Inspector and with the Code Enforcement Officer.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 326

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

BE IT RESOLVED, That the Superintendent of Highways is hereby authorized to auction off the 2000 Ford 20 passenger bus on Municibid.com.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 327

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

"Whereas", Studio6, 200 Hudson Street, New York, NY 10013, applied for a filming permit for August 6, 2020, at 74 Gardiner's Bay Drive, and

"Whereas", said filming consists of fifteen people, and four vehicles, and

"Whereas", the Town Board approves of the issuance of said permit subject to the requirement that all COVID-19 regulations be adhered to, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue said permit, subject to the presentation of the following fees:

$500.00 application fee
$500.00 rush fee
$1,000.00 one day filming fee, 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.

On motion of Supervisor Siller and seconded by Councilman Colligan, the special meeting was adjourned at 2:09 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

The motion was approved.

Dorothy S. Ogar
Town Clerk

August 11, 2020

A special meeting of the Town Board of the Town of Shelter Island was held via Zoom and in person in the Shelter Island Town Hall, Shelter Island, New York on the 11th day of August, 2020. 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 seven persons were present.

Supervisor Siller polled the Town Board for permission to hold said special meeting and waive the provision of notice.

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 approved.

The Supervisor called the special meeting to order at 3:28 p. m.

RESOLUTION NO. 328

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

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for Household Hazardous Waste removal.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 398

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

"Whereas", Peter Levenson and Pamela Sweeney, 23 Winthrop Road, have petitioned the Town of Shelter Island for permission to modify the 6' x 42' outer "T" section of an existing "T"

shaped fixed timber pier into a 6' x 38' outer "L" section by removing the 6' x 20' west side of the existing outer "T" and extending the remaining 6' x 22' outer section to the east with a new 6' x 16' section of fixed pier; install plus or minus 44 linear feet of timber wave break along the west side of the most northerly end of the existing pier and install plus or minus 38 linear feet of timber pier (sheathing to be spaced a minimum of 2 inches apart and elevated a minimum of 2 feet above existing grade); remove the northerly 6' x 14' section of an existing 6' x 24' fixed step-down platform along the east side of the existing pier; and reconfigure and reduce the number of existing dolphin pile clusters (from 8 to 7) by removing four 2-pile dolphins and two 3-pile dolphins, installing five 3-pile dolphins, installing a 3-pile dolphin in place of an existing 2-pile dolphin, and leaving one existing 3-pile dolphin in place, and

"Whereas", a public hearing was duly held on the 2nd day of March, 2018, for all interested persons to be heard in favor of or in opposition, and

"Whereas", the Waterways Management Advisory Council has reviewed said application and made the following recommendations:

a. presentation of a hardship letter;

b. notation on plans that the splashboard sheathing be NATURAL hardwood .... i.e.. non-chemically treated lumber;

c. the DEC modified approval; and

"Whereas", the aforementioned provisions have been provided, 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 modifications:

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 following: Reconfigure existing "T"-shaped fixed dock into a "U"-shaped fixed dock (without extending its seaward projection) by removing the most seaward 6' x 42' shore-perpendicular portion of fixed dock and constructing a new 6' x 42' shore-perpendicular section of fixed dock approximately 21 feet to its west, and b) constructing a 6' x 21' shore-parallel section of fixed dock to the south of relocated 6' x 42' section of dock; relocate existing 4' x 14' ramp and 8' x 20' float secured by four (4) pilings approximately 21 feet west (to be attached to new 6' x 42' section of dock); remove 6' x 18' portion of existing 6' x 24' step-down platform, re-frame/re-deck remaining 6' x 6' section of step-down platform as needed, and reconstruct 2' x 3' steps; install approximately 42 linear feet of timber wave break along north side of terminal, shore-parallel 6' x 42' fixed section of dock (to be re-framed/re-decked as needed), and install approximately 54 linear feet of timber wave break along west side of new 6' x 42' shore-perpendicular section of fixed dock (all wave break sheathing to be spaced a minimum of 2 inches apart and elevated a minimum of 2 feet above existing grade); and remove eight (8) existing dolphin pile clusters, all as depicted on the project plan prepared by En-Consultants, last dated May 21, 2020.

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.

At 3:43 p.m., Supervisor Siller moved and Councilman Bebon seconded, to go into executive 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

This motion was approved.

On motion of Councilman Colligan and seconded by Councilman Bebon, the special meeting was adjourned at 4:19 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 approved.

Dorothy S. Ogar
Town Clerk

August 21, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 21st day of August, 2020 via Zoom and in person. 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 fourteen persons were also present.

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

Salute to flag.

The Supervisor made the following statement:

This is the August 21, 2020 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 Kate Davidson resigning from membership on the Recreation Commission.

RESOLUTION NO. 399

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

"Whereas", Timothy Sheehan, 65 North Menantic Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in West Neck Creek at the Bay Shore Drive Town landing, at a location designated as latitude 41.05383° north and 72.35715° west; said location was formerly occupied by the W-3340 Winters stake, mooring and pulley system, 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 11th day of September, 2020, 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. 400

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, 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 11th day of September, 2020, 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. 401

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

"Whereas", David, Danielle and Jared Hamilton, 75 North Cartwright Road, have petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor off Captain Bob's Landing at a location designated as 41.08912° north and 72.32290° 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 11th day of September, 2020, 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. 402

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 July 10, 2020, Peder Larsen was reappointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2022, and

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

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

BE IT RESOLVED, That Peder Larsen is hereby reappointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 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. 403

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 July 10, 2020, Beverlea Walz was reappointed to serve as a member of the Shelter Island Colonial & Native American Graves Protection Committee for a term to expire on September 21, 2023, and

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

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

BE IT RESOLVED, That Beverlea Walz is hereby reappointed to serve as a member of the Shelter Island Colonial & Native American Graves Protection Committee for a term to expire on September 21, 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. 404

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

"Whereas", Brian Sherman, Commissioner of Public Works, has requested permission to readvertise for sealed bids for the proposed purchase of ten replacement windows for the American Legion Hall, now, Therefore

BE IT RESOLVED, That said request 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. 405

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

"Whereas", Brian Sherman, Commissioner of Public Works, has requested permission to advertise for sealed bids for the proposed installation of air conditioning in the American Legion Hall, now, Therefore

BE IT RESOLVED, That said request 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. 406

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

"Whereas", filming permit number 81 was issued on August 5, 2020 to Studio6 for filming at 74 Gardiner's Bay Drive on August 6, 2020, 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 Amanda Huelse, 1039 Bergen Street, Apt. B3, Brooklyn, New York 11216.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 407

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

BE IT RESOLVED, by the Town Board of the Town of Shelter Island, that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and

BE IT FURTHER RESOLVED, That in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described herein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 408

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

"Whereas", 6 Daniel Lord Road, LLC ("Applicant") has applied to the Shelter Island Town Board for permission to undertake significant actions within the vegetative buffer and adjacent regulated area at 6 Daniel Lord Road, Shelter Island, New York and zoned Zone A - Near Shore and Peninsular Overlay District, designated as Suffolk County Tax Map 700-18-02-19 (the "Premises"); and

"Whereas", the Applicant seeks to relocate and expand an existing structure resulting in a building encompassing 5,833 square feet all outside of the wetlands boundaries, and

"Whereas", the proposed project includes the following work at least partially within the 75' Vegetative Buffer and the 100' Adjacent Regulated Area: Removal of existing 3 story house to a conforming location, and

"Whereas", all further work including all new construction 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 1-4732-01083/00003 on December 21, 2018; and

"Whereas", the Suffolk County Department of Health Services issued a permit numbered R07-18-0051; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on date, July 31, 2020, and

"Whereas", this Board now wishes to render a decision on this wetlands application and 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 being moved to a conforming location and significant mitigation measures are to be required; and

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

1. This Board hereby adopts the findings of the Planning Board and Conservation Advisory Council; and
2. This project would remove all intrusion into the vegetative buffer and regulated area; 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 run-off controls, that contribute to the protection and enhancement of wetlands; and

BE IT FURTHER RESOLVED**,** That the Town Board makes the following findings as to the special permit:

1. This project is suitable for location in this part of Town because the area is similarly residential; and
2. This project will not be detrimental to surrounding property values because this will result in an upgrade of the existing structure; and
3. This project is harmonious with the character of the existing and probable development of uses in this vicinity because it is residential in nature and no significantly larger than other houses in the vicinity; and
4. Strict conditions will be placed upon construction to ensure utmost reduction of inconvenience to neighbors and the general public; and

BE IT FURTHER RESOLVED**,** That a wetlands permit and special permit for the above described work to be conducted at the Premises are hereby granted to the extent that all work is conducted as depicted on the site plan created by Matthew Sherman of Sherman Engineering and Consulting dated October 12, 2018 and the drawing of Robert Lund, Architect dated March 21, 2020, subject to the following standard conditions:

1. 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
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; and
12. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
13. Applicant shall install an automatic pool cover; 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 minimum limits of $500,000; and

15. 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. 409

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

"Whereas", sealed bids were received by the Town Clerk's office until 3 p. m. on the 20th day of August, 2020, for the hauling of household hazardous waste, at which time they were publicly opened and read aloud, and

"Whereas", a bid was received from MXI Environmental Services LLC, and

"Whereas", the Commissioner of Public Works has reviewed the proposals and recommended that the Town Board award the bid to MXI Environmental Services LLC, now, Therefore

BE IT RESOLVED, That said bid be awarded to MXI Environmental Services LLC, the sole 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. 410

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 4:46 p. m., prevailing time, on the 11th day of September, 2020, 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 Chapter 53, Docks, to wit:

Chapter 53. Docks

Article I. General Provisions

§ 53-1. Title.

This chapter shall be known as the "Town of Shelter Island Dock Local Law."

§ 53-2. Applicability.

This chapter shall regulate the use of Town-owned docks, piers, wharves and bulkheads; the size and placement of commercial and private docks; the size and placement of other water control structures; and the removal of materials from lands under water. The Town Board of the Town of Shelter Island deems it in the public interest to regulate the use, size and placement of docks and other structures in order to optimize the use of Town-owned underwater lands by the general public for recreational and shellfishing purposes while at the same time recognizing the riparian rights of upland owners.

§ 53-3. Statutory authority.

This chapter is adopted as a local law pursuant to the authority of the Municipal Home Rule Law and the New York State Constitution.

§ 53-4. Enforcement.

The Dock Inspector, shall be a member of the building department of the Town of Shelter Island, and is hereby authorized and directed to enforce the provisions of this chapter.

§ 53-5. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOAT OR VESSEL Any floating object capable of being used as a means of transportation in water and including any airplane capable of landing on water.
BOATYARD A commercial facility for maintenance, construction and/or repair of any type of watercraft with or without provision of supplies, storage, fueling or the retail sale of boats, motors and marine equipment.
CHANNEL Water areas specifically reserved for unobstructed movement of vessels which may be marked by navigational aids permitted by the United States Coast Guard and/or the State of New York and/or the Town of Shelter Island.
COMMERCIAL DOCK A dock utilized for commercial purposes. Under this chapter, such dock shall be located in "B" Zone or be part of an existing commercial boatyard/marina.
COMMERCIAL VESSEL A boat or vessel from which the owner obtains a significant portion of his income and/or which is registered as a commercial/passenger vessel either with New York State or the United States Coast Guard.
DOCK Any structure whether floating and/or fixed designed to accommodate a boat, such structure being attached at least on one end to the upland and elsewhere to the underwater lands below the mean high-water mark, and including accessories to said structure, such as floats, dolphins, pilings, anchors and anchor lines, ramps, ladders, lifts and hoists. A permit for a dock shall run with ownership of the land.
DOCK INSPECTOR The duly appointed Building Inspector of the Town of Shelter Island.
FORESHORE The passageway around the perimeter of Shelter Island between the mean high- and mean low-water marks.
OWNER(S) The person(s) or entity(ies) in whose name the upland to which the dock is connected is/are recorded in the office of the Suffolk County Clerk.
PERMITTEE The owner to whom a dock permit has been issued.
PLEASURE VESSEL All boats or vessels other than government, commercial and institutional.
PRIVATE DOCK A dock utilized by the owner or occupant for pleasure vessels and/or recreational purposes.
RESIDENT Includes all domiciliaries who have actually and consistently resided within the Town of Shelter Island for a period of not less than six months immediately preceding their application for a permit hereunder and/or owners of real property situate in the Town of Shelter Island.
RIPARIAN RIGHTS The entitlement of the owner of upland property fronting on a body of water to reasonable access to and use of such water.
SHORELINE The interface of waterway and upland, at specified location and tidal condition.
TOWN DOCK A dock or pier owned or managed by the Town.
TOWN WATERS All waters and land below the mean high-water mark over which the Town of Shelter Island has jurisdiction.
WATER FRONTAGE The line along the mean high-water mark which defines the interface between a lot and the waterway.
WATER CONTROL STRUCTURE: is a structure including but not limited to, bulkheads, groins or jetties intended to manage the impact of water upon the adjacent land.

Article II. Town-Owned Docks, Piers and Wharves

§ 53-6. Legislative findings.

It is hereby determined that the existing docks, piers and wharves of the Town of Shelter Island located at Congdon's Creek at the easterly terminus of Congdon Road and at Dering Harbor at the easterly terminus of Bridge Street in the Town of Shelter Island are hereby established as self-supporting improvements, pursuant to § 141 of the Town Law of the State of New York.

§ 53-7. Permit required.

No person shall moor or secure a boat at the docks, piers and wharves located either at Congdon's Creek or at Dering Harbor without first obtaining a permit from the Town Clerk, except as hereinafter provided. Said permits shall include a sticker, which must be displayed on the authorized boat adjacent to the displayed registration number.

A. Congdon's Creek dock, pier and wharves.

1. A dock permit may be issued for any type of boat with a minimum length of 12 feet.
2. Any such permit shall be valid for a term ending March 31 of each year. During the transition to this annual renewal date, permits shall be issued for varying periods all to terminate March 31, 2012.
3. No slip shall hold more than one boat which shall be no longer than 35 feet length overall. The beam of the boat shall be less than the distance between the standoff piles for the slip for which the permit is issued.
4. Each applicant for a permit or permit renewal for a slip shall provide the Town Clerk with the applicant's name, proof of residency, proof of his ownership of boat, description of boat, number and name of boat and proof of proper registration. A current photo of the boat must be

submitted with the initial permit application. Any permittee must own the same boat at the time the permit is issued within 60 days thereafter.

5. Initial and renewal permits may be obtained directly from the Town Clerk upon submission of proof satisfactory to the Town Clerk that said permittee is a resident of the Town of Shelter Island and owns the same boat as described on the permit. If such permittee wants to berth a different boat, he must provide the Town Clerk with proof of his ownership of such boat, a description of the boat, its name and registration number and proof of proper registration of boat. Slips not renewed by April 1, 2012, and every year thereafter, including mail renewals postmarked after April 1, shall be assigned by the Town Clerk to the next applicant on the wait list.

6. The Town Board from time to time may establish, on its own motion, the fees for docking and mooring of boats and for the wait list.

7. No person shall moor or secure a boat at the end of the dock more than two consecutive hours, nor shall any boat so secured or moored exceed 30 feet in length. A dock permit shall not be required in this event.

8. In the event that there are more applications than available spaces, a wait list will be established to determine the awarding of permits. A person must meet residency requirements to be placed on the wait list and supply their name and contact information. A person on the waiting list who qualifies for a sublet may remain on the waiting list for a slip assignment.

9. A permittee who is unable to have his/her boat in slip from July 1 through September 30 (high season) must notify the Town Clerk by June 1. The Town Clerk will offer the slip for a high season sublet to the next interested applicant on the wait list. If the applicant accepts, all the information for a new permit application must be submitted, and the permit fee paid to the Town Clerk for that high season period, and the Town Clerk will issue a permit for occupancy during that high season. The original permittee may only do a high season sublet twice during his slip tenancy.

10. Off-season sublet: October 1 through June 30. A permittee may allow another person to use his slip from October 1 through June 30 provided he notifies the Town Clerk, and the sublessee submits all the information for a new permit application and pays the permit fee to the Town Clerk for that off-season period, and the Town Clerk will issue a permit for occupancy during that off-season.

11. If permittee dies, the permit for that slip may be transferred only to a surviving spouse, providing they meet all requirements of this chapter.

12. All permittees, including sublessees, shall comply with the provisions of this chapter. Upon a second violation of this chapter, the permit may be revoked after a noticed hearing before the Waterways Committee.

B. Dering Harbor dock, pier and wharves.

1. A dock permit may be issued for the west side of the dock for a period of nine months, extending from September 15 through the following June 15. The use of the west side of the dock shall be limited to resident commercial vessels.

2. Applications for a permit for resident commercial vessels shall be made no later than September 16 of each year. In the event that there are more applications than available spaces, a lottery will be held to determine the awarding of permits. If there are more spaces than applications, the Town Board reserves the right to continue to accept additional applications for spaces remaining. Otherwise, the use of the west side of the dock shall be in accordance with Subsection B(5) herein.

3. Each applicant shall provide the Town Clerk with his name, Shelter Island address, proof of his ownership of boat, description of boat, number and name of boat and proof of proper registration.

4. During the period from June 15 to September 15 of each year, no person shall moor or secure a boat for more than two consecutive hours. A dock permit shall not be required in this event.

5. During the period from September 16 to June 14 of each year, a boat may be moored or secured for no more than 10 consecutive days on one occasion during such period, provided that the Town Clerk has been notified, in writing, of the same.

6. The Town Board from time to time may establish, on its own motion, the fees for docking or mooring of boats.

§ 53-8. Additional regulations.

A. No person shall live or reside on a boat docked, secured or moored at any Town-owned dock, pier, wharf, bulkhead or similar facility within the Town.

B. No person shall moor or secure a boat for more than two consecutive hours at the Town-owned bulkhead at Grace's Lane in Dickerson Creek, except that during designated scallop season, a resident with a shellfish permit issued by the Town of Shelter Island may use the floating dock

or bulkhead for purposes relating to the taking of scallops only; provided, however, that any such boat shall not exceed 25 feet in length and must be moored or secured parallel to the floating dock or bulkhead.

C. No person shall moor or secure a boat on the end or east face of the Town-owned dock at Daniel Lord Road. The west face along the launching ramp is for active launching, hauling, loading, and unloading of boats only and has a ten-minute docking limit.

D. Acceptance of a permit under this chapter shall constitute an agreement that the permit holder will hold the Town of Shelter Island and its authorized representatives completely blameless for any liability in connection with the mooring or securing of his boat, nor is the Town responsible for loss, damage or theft of boats and/or other contents or to any other private property.

E. The Town Board reserves the right to enact additional rules and regulations with respect to mooring or securing boats at docks, piers, wharves, bulkheads or similar facilities owned by the Town of Shelter Island. Any permit hereafter issued shall be issued subject to the permittee conforming to any rules and regulations now in force and effect or that thereafter may be adopted by resolution of the Town Board.

Article III. Commercial and Private Docks

§ 53-9. Permit application.

A. A permit shall be required for the construction, alteration or modification of a dock. A permit shall not be required for the repair of a dock, except in any of the following circumstances:

1. When the total cost for such repair of an existing dock exceeds $10,000.
2. When the repair is other than in kind and in place.
3. When no previous permit has been issued for the construction of a dock.
4. When less than 30% of the original structure remains in a structurally sound condition.
5. Extension of utilities (including water, electric, cable and telephone) to a dock requires a building permit issued by the Town Building Department.

B. Applications for permits may be made by the owner or the agent of that owner utilizing standard forms available from the office of the Town Clerk.

C. Each application for a new dock shall be accompanied by the following:

1. A certified survey of the owner's property on which the proposed dock is to be located, indicating the zoning district and showing property lines, exact location of the proposed dock and other structures, any unusual natural features on the property and adjacent waters and depths to the nearest foot at ten-foot intervals to the end of the dock, measured at mean low water.
2. An accurately dimensioned scale drawing of the proposed dock in plan and elevation format showing the structural design details of the dock, including the location and type of services and utilities (including water, electric, cable and telephone).
3. Specifications for the construction materials to be used.
4. Any copies of applications and permits related to other agencies as may be required.
5. A statement signed by the owner that the materials and design of the dock will meet all pertinent federal, state, county and Town regulations.
6. A statement signed by the owner that acceptance of a permit shall constitute an agreement that the permittee:

a) Will indemnify and hold the Town of Shelter Island and its authorized representatives harmless from any liability in connection with any property damage or bodily injury that may occur as a result of the issuance of a permit hereunder, nor is the Town responsible for the loss, damage or theft to boats and/or their contents; and

b) Consents to the entry on the property by the Dock Inspector or other authorized representative of the Town in order to make such inspections as the Town may deem necessary to ensure compliance with the terms and conditions of the permit.

7. The following proof of insurance in force:

a) From the owner, a certificate of insurance for at least $300,000 liability on the location and operations covered by said permit; and

b) From the contractor performing the operations covered by said permit, an owner's/contractor's policy issued in favor of the Town of Shelter Island for the liability limits of at least $500,000 covering operations of the contractor pursuant to said permit.

8. The requisite fee to be determined by the Town Board.
9. Any other information which the Town Board may deem necessary.

D. In addition to the above, it shall be a prerequisite for a complete application that the offshore location for the proposed dock be clearly delineated by a minimum of four stakes and that additional stakes be placed at the property boundaries nearest the dock. The location of these stakes should correspond exactly to the configuration of the proposed dock on the scale drawing accompanying the permit application.

§ 53-9.1. Permit issuance and terms.

A. All applications for permits shall be subject to a public hearing, except that applications to repair, replace or reconstruct any devices or structures included in this article shall be granted or denied by the Town Board without a public hearing. In making its determination, the Town Board shall consider the recommendations of the Waterways Committee of the Town Board.
B. The validity of any permit issued shall be conditioned on the issuance of permits from other governmental or municipal authorities as may be required.
C. A permit will expire 12 months from the date of issuance. A permit may be extended by resolution of the Town Board for an additional period of one year without a public hearing, provided that the request for same is submitted no later than the expiration date.
D. Acceptance of a permit shall constitute an agreement that it shall be the owner's responsibility to endure proper usage of the structure at all times, to maintain the structure in conformance with these regulations and in the interests of public safety and protection of the waterways and not to obstruct any rights of the public as may exist to use the underwater lands.
E. Acceptance of a permit shall also constitute an agreement that the owner shall hold the Town of Shelter Island and its authorized representatives completely blameless for any liability in connection with property or bodily damage that may arise from the issuance of this permit.
F. No dock construction may be commenced under the permit until the Building Department is notified by the dock contractor of the date construction will commence.
G. No certificate of compliance certifying satisfactory completion of a new dock, or other dock improvement designated by the Town Board, shall be issued until a survey showing the as-built location is submitted to the Building Department.
H. In addition to any other rights conferred, a permit shall convey a non-exclusive right to use public bottom land owned by the Town of Shelter Island upon which any legally permitted dock is located.

§ 53-9.2. Limitations on Fresh Water Docks

A. No fixed dock, float or ramp, platform or other structure shall be constructed upon any body of fresh water owned by the Town of Shelter Island and no permit shall be issued for any such construction.
B. Pre-existing non-permitted and non-conforming structures existing as of June 30, 2020 are exempt from the standards set forth in Section 53-9.2(A) of this chapter subject to the following:
1. They may be repaired or replaced in kind and in place; or
2. They may be altered, modified, or repaired where after review, is determined by the Town Board that any changes significantly lessen the preexisting nonconformity; or
3. Any structure, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall be permitted to remain so long as the repairs are in kind or in place or are determined by the Town Board to significantly lessen the preexisting nonconformity.

§ 53-10. Fees.

A. Permit fees for the construction, alteration, modification or repair of a dock shall be established by resolution of the Town Board.
B. Permit fees for work on commercial docks shall not be more than twice that charged for private dock permit fees.

§ 53-11. Design and construction of private and commercial docks.

A. A dock shall not be an impediment nor a menace to navigation and shall at all times provide and allow suitable and unobstructed passageway around or over such dock so that the public will have free unobstructed passage along the foreshore of Shelter Island.
B. The location of a dock shall cross the water frontage of a lot with the same setback requirements from the extremes of that water frontage as apply for the principal dwelling on that lot, but in no case less than 25 feet. The dock shall extend seaward in a direction and configuration that does not intrude on neighboring lots' equivalent rights to current or future dock location.
C. Length and depth of docks.
1. At mean low-water, a private dock may not extend into the waterway farther than the equivalent of 15% of the shortest distance at mean low-water from the shoreline where the dock is located to the opposite shoreline.
2. A private dock may not extend either more than 100 feet offshore from the mean high-water mark on the owner's upland property or beyond the point where mean low-water depth reaches four feet, whichever of these two conditions occurs sooner.
3. A private dock may not extend in total linear measure of all walkways, ramps, floats and distance to tie-off pilings more than one and one half times the specified maximum off-shore distance of the dock.

4. A commercial dock may not extend either more than 300 feet offshore from the mean high-water mark of the owner's upland property or beyond the point where the mean low-water depth reaches six feet, whichever of these two alternative conditions occurs sooner.

D. Width of docks.

1. A private dock, exclusive of floats, but including walkways and ramps, shall be no wider than five feet; the deck area of floats shall be no greater than 200 square feet.

2. A commercial dock, exclusive of floats, but including walkways and ramps, shall be no wider than 10 feet; floats shall be no wider than 12 feet.

E. Any waterway's illumination, whether dock-mounted or shore-mounted, shall be focused downward and shall not directly light an area more than 10 feet beyond the foreshore or the footprint of the dock. Any illumination presently in existence shall be in compliance with this subsection no later than six months after the adoption of this chapter.

F. Private dock installations to store or convey fuel or sewage shall not be permitted.

§ 53-12. Existing docks.

The following are exempt from the standards set forth in Section 53-11 of this Chapter:

A. Any dock in existence prior to the adoption of this chapter that is maintained in kind and in place; or

B. Any alteration, modification, or repair to a preexisting nonconforming dock which, after review, is determined by the Town Board to significantly lessen the preexisting nonconformity; or

C. Any repairs of a dock, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall remain so long as the repairs are in kind or in place or are determined by the Town Board to significantly lessen the preexisting nonconformity.

§ 53-13. Responsibilities.

A. Acceptance of a permit shall constitute an agreement that it shall be the owner's responsibility to ensure proper usage of the dock at all times, to maintain the dock and all appurtenances and equipment in conformance with these regulations and in the interests of public safety and protection of the waterways and to not obstruct the right of the public to pass along the foreshore between the mean high- and low-water marks.

B. Acceptance of a permit shall also constitute an agreement that the owner will hold the Town of Shelter Island and its authorized representatives completely blameless for any liability in connection with property or bodily damage that may arise from the issuance of this permit.

C. Should the Dock Inspector determine that a dock has become a threat to life or property or a menace to navigation, he shall immediately notify the Town Board. Upon receipt of such notice, the Town Board shall direct the Dock Inspector to notify the owner of his findings regarding the condition of the dock by certified and regular mail and by posting such notification upon the owner's property of his findings regarding the condition of the dock. In the event that the owner does not remove or repair the dock within the time required by the Dock Inspector, the owner shall be notified by certified and regular mail that the Town will make any necessary repairs to render the dock safe at the owner's expense. Should the dock require removal, the owner shall be notified by certified and regular mail of the Town's intention to make an application to the Supreme Court, Suffolk County, for an order determining the dock to be a threat to life or property or a menace to navigation and directing that it be removed by the Town with all expenses incurred in this proceeding and the removal to be borne by the owner.

§ 53-14. Regulations regarding living or residing on boats at docks.

A. No person shall live or reside for more than one week on a boat berthed at a private dock.

B. Any person who shall live or reside for more than forty eight (48) hours on a boat with a head (bathroom) at a private dock must maintain a written log indicating a pump out at least once per week and have such log as well as written documentation (such as a receipt from the pump out facility) available for inspection by the dock inspector or bay constable upon request.

C. No person shall live or reside on a boat at a commercial dock for any length of time without the expressed permission of the dock or marina owner and comply with all marina's policies regarding pump-outs and discharge, and all relevant laws and regulations.

D. Any vessel equipped with a head docked within the waters of the TOSI shall maintain their Y valve in a closed and secured position and make the equipment available for inspection by the Dock Inspector or Bay Constable.

§ 53-14.1. Storing and Securing Seasonal Floating Docks

A. Any floating docks and ramps may not rest on or be stored in any vegetated tidal wetland.

B. Floats that remain in the water when not in use must be properly secured and remain in the area designated in § 53-11 (A) & B) and not otherwise violate any provision of this Chapter.

§ 53-15. Waivers.

The Town Board shall have the authority to modify or waive, subject to any appropriate conditions, any provision(s) of this Chapter as in its judgment is not requisite to the interests of the public health, safety and general welfare, except where such waiver would be contrary to other ordinances or state law. A request for such waiver may be initiated by written request to the Town Board accompanied by documentation that fully explains and supports the reasons for the request. Additional information may be sought from the applicant at the discretion of the Town Board.

Article IV. Other Water Control Structures

§ 53-16. Permit required.

No person shall construct, repair, replace or reconstruct or place any bulkhead, pile, float, building, pier, wharf, jetty, groin, dolphin, dike, dam or other water control device or other structure, any part of which is embedded in or attached to land above or below water, in or on any Town waters, Town lands under water, foreshore or state or county lands under water within the geographical limits of the Town, nor shall any person remove or move any sand, gravel or other material from such lands in the Town of Shelter Island without first obtaining a permit from the Shelter Island Town Board. The provisions of this section do not apply to the installation, repair or replacement of moorings or stake, mooring and pulley systems, the regulations for which appear in Chapter 90 of this Town Code.

§ 53-17. Additional permit provisions.

A. Any water control structure in existence prior to the adoption of the chapter that is maintained in kind and in place; or

B. Any alteration, modification, or repair to a preexisting nonconforming water control structure which, after review, is determined by the Town Board to lessen the preexisting nonconformity; or

C. Any repairs of a water control structure, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall remain so long as the repairs are in kind or in place or are determined by the Town Board to lessen the preexisting nonconformity.

§ 53-17.1. Limitations on Water Control Devices on Fresh Water Bodies

A. No water control structure shall be constructed upon any body of fresh water owned by the Town of Shelter Island and no permit shall be issued for any such construction.

B. Pre-existing non-permitted and non-conforming structures existing as of June 30, 2020 are exempt from the standards set forth in Section 53-17.1(A) of this Chapter subject to the following:

1. They may be repaired or replaced in kind and in place; or

2. They may be altered, modified, or repaired where after review, is determined by the Town Board that any changes significantly lessen the preexisting nonconformity; or

3. Any structure, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall be permitted to remain so long as the repairs are in kind or in place or are determined by the Town Board to significantly lessen the preexisting nonconformity.

Article V. Additional Provisions

§ 53-18. Coordination with wetlands provisions.

A. In addition to the requirement of this chapter, any dock or other water-control structure requiring construction, dredging, filling or alteration in, on or over a wetland or within a regulated area as defined in Chapter 129 shall apply for a permit under Chapter 129.

B. In the event of a conflict between any provision of Chapter 53 (Docks) and Chapter 129 (Wetlands), the provisions of Chapter 129 shall apply.

§ 53-19. Power of Town Board to impose restrictions.

In issuing a permit under this chapter, the Town Board may impose such reasonable conditions and restrictions as will prevent the obstruction or interference with navigation, the public use of Town waters or lands under Town waters or shall be in furtherance of the public interest.

§ 53-20. 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 more than $250 or by imprisonment for not more than 15 days, or both.

B. A second offense against the provisions of this Chapter within 1 year after a prior offense shall constitute a violation under the Penal Law and shall be punishable by a fine of not more than $500 or by imprisonment for not more than 15 days, or both.

C. A third or subsequent offense against the provisions of this Chapter within one year of the initial offense shall constitute a misdemeanor under the Penal Law and shall be punishable by a fine of not more than $1000 or by imprisonment for not more than 15 days, or both.

D. 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.
E. The Town may require removal of any dock or other structure constructed in violation of this Chapter.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 411

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 4:48 p. m., prevailing time on the 11th day of September, 2020, 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 Police Department Foil Officer, to wit:

"Whereas" the Town Clerk is the Record's management officer for the Town by NY State statute; and

"Whereas", the Chief of Police is in the best position to manage and organize records relating to the police department, now, Therefore

BE IT RESOLVED, That Chapter 20 of the Shelter Island Town Code is amended in that the following is to be added:

ARTICLE II – POLICE RECORDS

§20-10 - Authority

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.

§20-11 - Effect on Statute

Provisions of this Chapter Shall This article shall supersede NY Town Law, insofar as they are inconsistent with such Chapter.

§20-12 - Severability

Should any section or provision of this chapter be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the chapter as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

§20-13 – Police Records Management

Solely for the purpose of management, storage and dissemination of police records, including response to FOIL requests, the Chief of Police shall serve as records' officer for the Shelter Island Town Police Department.

§20-14 – Police Records Retention

Records shall be maintained for a period of one year unless a longer period is proscribed by law, labor agreement, or police department policy, rules and procedures.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 412

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

"Whereas", the Shelter Island Lions Club Foundation has donated funds in the amount of $300.00 for the Wades Beach Bath House project, and

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

BE IT RESOLVED, That the Town of Shelter Island sincerely thanks the Shelter Island Lions Club Foundation for their generous donation, and

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

$300.00 increase to the 2020 A2705W Wades Beach donations revenue account, to be funded by the funds received from the Shelter Island Lions Club Foundation, and

$300.00 increase to the 2020 A1490.409 Public Works beaches and parks 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. 413

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

BE IT RESOLVED, That 2020 general claims numbered 1154 through 1289 in the amount of $142,611.16, 2020 highway claims numbered 142 through 153 in the amount of $9,423.88, and 2020 West Neck Water claims numbered 25 through 27 in the amount of $3,077.81 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 414

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 Clerk for the Comprehensive Plan Committee for the year 2020 at the rate of $22.59 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.

At 4:56 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Nicholas J. Savage, Shorewood Road, for permission to install a mooring in Smith's Cove at a location designated as latitude 41.4103114° north and longitude 72.7218904° 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: on a meeting held on August 3rd which was our last meeting, this was, the vote was not taken, the reason being that they lacked proper coordinates, a valid boat registration, driver's license and sufficient map describing the exact location, so the Chairman which is John will reach out to the applicant to request submission of that additional documentation and will be taken up at the September meeting; okay is there anybody here for this; I am, I went to see John and he got a map situated, we did the mooring online and I have a map here with me, I also went over the discrepancy with him and explained to him about the DMV being closed and suggested that perhaps I mail everything in and I did and I actually do have the registration with me and I can give that to Dorothy Ogar; yes she is next door, so my recommendation might be that you take it to her and maybe knock on the door, it's after four o'clock but knock on the door and maybe Dottie or somebody will answer it or you can leave it with us; yeah I could say if you just wanted to; just leave it at the end of that table, I'll make sure we walk it in; __; oh okay; she's open

tomorrow, she's here tomorrow; okay, I also went back to Dorothy and she said she had my license and it was just an oversight; okay; and I showed it to John and I gave him a copy, so I believe that I have filled all the requirements; I did receive all the information and I forwarded it to the Chairman of the Waterways Management Advisory Council; okay, just for the record, are you Mr. Savage; yes; okay, so we can probably do this Tuesday at a special meeting if you have all the paperwork; yes, okay; that would be the thing, tomorrow, Dottie is opened up for business between the hours of, Dot; nine to twelve; nine to twelve; right; so anytime, come up and submit that additional paperwork, make sure she makes copies there and you have your originals back, we will between now and Tuesday's meeting, be able to coordinate with John Needham the Chairman of the WMAC and make sure that he puts that information out to the committee and that we will be able to get a reading back from the committee, hopefully by Tuesday and then the Supervisor will put it on the Tuesday agenda so that we can get that done for you rather than wait for the September meeting; so a special meeting Tuesday; yes; do I need to be here on Tuesday; no; I don't think so unless; if John has any concerns, we will call you and let you know, Jim is the liaison; okay, if there is any bump in the road, we would let you know about it; thank you; so Dottie do we close that or recess it; you can close it; okay.

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 Karin Lissakers, 66 Peconic Avenue, for permission to remove 110 feet of existing bulkhead and 102 feet of existing old landward bulkhead, and construct 102 feet of new bulkhead in-place of old landward bulkhead raising the top elevation to match top elevation of existing bulkhead section to 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 again on August 3rd and by a vote of seven, zero unanimous, they approved this replacement of the bulkhead, it does need to be replaced, this is in her back yard and it definitely is something that's fairly urgent so __ get on this rather sooner than rather later; okay, would you like to say anything, you have to hit mute.

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 grand canyon ___ so much yard and so much dirt, so it's really urgent, ___ approve this; right; __.

The Supervisor declared the public hearing closed at 5:00 p. m. called to order the public hearing to be held as advertised on the application of the Town of Shelter Island, for a wetlands permit to remove and replace the bathhouse and septic for the Town operated public bathroom at Crescent Beach, and construct new pavilion on Town property designated as SCTM 700-13-02-5.

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:

Councilman Bebon presented the Planning Board report, as follows:

19 August 2020

Re: **Crescent Beach Comfort Station Wetlands Permit Application**

Shore Road Shelter Island, NY SCTM# 700-13-2-5

Zone AA, within the Near Shore Peninsula Overlay District

We are in receipt of a Wetlands Application for the Crescent Beach Comfort Station prepared by Matt Sherman and dated 22 July 2020 for the Town of Shelter Island.

The application seeks to remove the existing bathroom trailer (approx. 150sq. ft.) located at the bottom of the hill on Shore road, and replace it with a new traditionally built bathroom facility (approx. 400sq.ft.) with detached pavilion (approx. 400sq.ft.). Both of which will be ADA compliant. The existing structure is currently non-compliant with setbacks and the new work to be performed will be in the same approximate location as the existing. The application also indicates replacement of the water supply and the installation of a new septic system.

The applicant has received both a tidal wetland permit NYSDEC 1-4732-01087/00001, and a freshwater wetlands permit NYSDEC 1-4732-01087/00002.

It is our understanding that the Suffolk County Department of Health Services has not made a final determination on the project. They have given the project a commercial reference number, #C07-18-0002

Planning Board members visited the site on 13 August 2020 with plans in hand and made the following observations. The existing bathroom is an eyesore. The trailer and structure are very rusty, in need of paint and missing at least one tire. The unit is operational but in need of significant repair (Please see photos). The proposed bathroom will be in the same location as the existing trailer and will be 57' from tidal wetlands and between 60 to 69' from freshwater wetlands. The proposed Pavilion will be approximately 40' to the west on the far side of the PSEG Utility Easement.

The plans call out for a new water connection to the West Neck Water System. A new sanitary system, either a Fuji CEN 10 commercial IA system with new traffic bearing rectangular leaching galleys or a Hold and Haul system is being proposed.

Our preference would be for the Hold and Haul system. It would eliminate any potential leaching of pollutants into the immediate environment and would be less expensive to install. The IA system, with its tanks and electric needs, would also be more at risk during periods of flooding as experienced during nor'easters or hurricanes.

The applicant notes that wirebacked silt fencing will be used to control erosion. We add that any fill and construction material should remain upland, and that concrete washouts should be employed to prevent concrete sediments from being discharged to the ground. We recognize this project is in the NSPO district, and for residential projects, roof stormwater collection and recharge is required. We are unclear if this requirement extends to Town facilities but it may be worthy of consideration.

Crescent Beach is arguably one of our most beautiful and majestic beaches. It is a pity that the first thing everyone sees coming down the hill to this beautiful shore is a defunct bathroom trailer. This new handicap accessible facility will be a much needed and welcome improvement, both functionally and aesthetically.

The Planning Board recommends approval of this application with the hope that a Hold and Haul system will be permitted for use by SCDHS.

By:

Marcus Kaasik, Planning Board member Meg Larsen, Planning Board member

For the Planning Board

There was no report from the Conservation Advisory Council.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: just so the public understands the recommendation of both the Planning Board and CAC for the hold and haul system is the County is asking us to put in and IA system, a septic system and the Town's feeling is it's right on the beach and no matter how good the system is, there's still gonna be leaching into the bay so we are proposing that we put a tank in that will you know, will drain as needed so we have __ the County for that so with that said, any questions from the; a couple of comments, and the reason for the delay in this is because we've been talking about this for two and a half years, is the __, that there are people that go through there and there was a lot of discussion about the original size, shape and direction that the bathroom was headed, we make significant changes, we changed it ninety degrees, we moved it closer to the road, we elevated it, we now have the permits, you know, the permits are coming into place so I think we've made a lot of, and the other thing is that, some of this is grant funded up to fifty percent and that fifty percent I __ a hundred and thirteen thousand if I remember, a hundred and thirteen thousand nine hundred and some odd dollars so the project is just about the two twenty mark so about half of this bathroom is being paid through a grant and other money has been already allocated so it's not like we're gonna have to put it into the twenty twenty-one budget, yet the __ of the committee was still to have this bathroom, if everything goes well and we get some decent weather and decent breaks, have this thing opened by Memorial Day twenty twenty-one which is this coming Memorial Day, it's an ambitious thing but we're gonna try to get that done and it shouldn't be a problem especially with the permits and everything in place; thank you; any other Town Board members comments.

The Supervisor opened the hearing for all to be heard in favor of or in opposition to the proposal. 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 application of Hirsch & Co./Vincent Seddio, 26 Hilo Drive, for permission to install a mooring in West Neck Bay, 70 feet off applicant's dock, 150 feet south of the Dowling W-2242 mooring; said location is designated as latitude 41.035421° north and longitude 72.213724° 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 at the meeting on August third, by a vote of the WMAC, by a vote of seven to zero, they did approve this but they did __ the notes that came from Kristina, the new coordinates, latitude forty one point zero six five zero six five north and longitude seventy-two point thirty-six oh three three seven west so Dot if you don't have; I do have them; okay, and it fits in there much much better and the applicant is very fine with that so 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 5:07 p. m. and called to order the public hearing to be held as advertised on the application of the Pridwin Hotel, 81 Shore Road, for a special permit for the renovation of all guest rooms in the main hotel with a reduction from 40 to 33 rooms in order to accommodate a new elevator, ADA bathrooms, and expansion of several undersized rooms, renovation of all public spaces in the main hotel, including expansion of the ground floor under the existing deck to provide a proper lobby, elevator lobby, and permanent fitness center, construction of seven new cottages to replace the guest rooms lost in the main hotel, replacement/installation of all flow fixtures for all showers and toilets, installation of new, state-of-the-art septic system for the entire property, installation of two new wells to replace four existing wells, installation of new sprinkler system throughout the main hotel building, replacement of all HVAC equipment with energy-efficient heat pumps and air handlers, expansion of on-site parking by 50% and increase of ADA parking by 150%, reconfiguration of driveways in response to neighbor requests during ZBA review, installation of drainage structures, and installation of landscaping and fencing as requested by neighbors during ZBA review.

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

The Supervisor reported that this has been going on a lot longer than we would hope it would, for quite a while, we are just waiting for the Board of Health to give their approval so we can give our final approval, the Planning Board has made some recommendations to us, do we need discuss those now or are we gonna wait til we get the; they have eight pages of; yeah; comments and we only just got them this morning; right; so my suggestion would be that the Town Board, we look at this very carefully, there was some dissention among the Planning Board so we need to take that into account as well and consider all the comments from all the Planning Board members so I would say we'll take it up at the next work session; we'll take it up Tuesday, okay; the good news is I think, when we tightened up the site plan review, in a matter of weeks we hope because that's on the list to get done along with the dock law, and the dock law will be done and hopefully so the site plan review will be done in the next month or so, hopefully, you learn as you go and not only does the applicant learn but we learn and we obviously want to make sure that we are all on the same page as early as possible, especially with these large projects so that we can cut down on wasted time, effort, money and be you know, working in a partnership almost with the applicant, trying to get this thing right from the get go and even having the input from all these committees up early is important; right; so I think we're learning and I think we're trying to take everything, the mistakes that we made here on all sides and put them into the site plan review with the idea that we minimize, I don't say that we will eliminate but you minimize these mistakes as you go forward; right, Mike, did you want to say anything from the Planning Board; I would just comment with what Amber said, the Planning Board response was very thoughtful, it identifies a number of areas where they feel they need more information, they also made a recommendation which was discussed at the meeting that the Town consider appointing a single point of contact that can act as an expediter and to Jim's comment that you know, we need to move this important asset to the Island so the idea being that there would be a person that would kind of shepherd this through the system, since it is such a large project so I think again you know with, as Amber said, look at this, the Planning Board did a tremendous amount of work putting this recommendation together, they said it's very thoughtful but it does ask for some additional information from the applicants; okay; we want to get that to them as quickly as we can; okay so we're gonna recess this one; instead of this project being done in two phases, it originally was gonna be done in two phases, now it's gonna be done in actually one phase, and I think it was, hopefully everybody will learn from that because it was gonna be done all winter, fall and spring and they were gonna continue to operate from phase one to phase two but you can only, forget the Covid nineteen coming along, cause Covid nineteen threw a whole host of issues at us, just the magnitude of the project necessitated that you know __ be __ shut down for one year and just try to get it done, hopefully we'll get a chance to look at the Planning Board feedback and get things done, hopefully we will get a chance to look at the Planning Board feedback and get things going; okay, Albert did you want to say anything; yeah briefly, and; could you identify yourself please;

sure I will, my name is Albert D'Agostino, I'm an attorney, my office is in Valley Stream, one oh seven South Central Avenue, Valley Stream, I'm also a resident of the Island, thirty Gardiner's Bay Drive and I'm here in support of the application of the Petrys both on behalf of a client which is Lucille King, LLC, which owns the property at two Prospect Avenue in Shelter Island and myself, we went through a very long hearing before the Board of Zoning Appeals, the Petrys were very courteous and cooperative, we addressed our concerns, they addressed our concerns, my client's concerns, yes, the Pridwin is a very important cultural and historical asset to the Island and now with Covid nineteen, my client felt and I felt that we wanted to come out and be supportive, my first memories of that place, believe it or not, summer of nineteen forty-seven and it really hasn't changed on the outside that much and we wish them well; thank you very much, that's great, I appreciate that very much; would it make sense to weekly check off a few things that the Planning Board; I think I can do that Tuesday Mike; you can do that Tuesday; yeah, Albert did you want to say anything before the rest of the audience speaks; no, I'm good Gerry; okay; oh it was the wrong Albert, I thought you were referring to me; that's alright; I'm Glenn Petry, I'm here representing the Pridwin, and my family the Petry family owns the Pridwin, my brother Gregg and my father Richard, I just guess, want to point out you know, last year at this time we went through an extensive review by the ZBA, during that process we worked with our neighbors to address issues they have, to solve concerns about parking, traffic flow, eventually we received ZBA approval which ___ for our special permit and since then we've been playing a long game of approval before the Suffolk County Health Department and we're very close to getting that, now I'd like to point out as a reminder to the Town Board, first I would like to thank you all for considering us __ but I'd like to point out that we voluntarily, happily and voluntarily kept our occupancy of the Pridwin at forty-nine ___, same as we have been operating for the past fifty years and we've also kept the restaurant capacity at two hundred and fifty seats, again the same capacity we've been operating at for about the past forty years, we are not changing the use, we're not changing capacity so to that I question whether site plan review is actually triggered, I would like you to look at that with the Town Attorney, I just also want to point out with this proposed renovation, we will be improving dramatically, access and ADA compliance, safety through a fire suppression system which we only have in the __ only, stormwater control, we're recharging about four million gallons to the aquifer each year __ bay, __ wastewater and septic through a state of the art IA system versus what we're using today, which was installed in nineteen twenty-seven and it's been added to over the years, these are the highlights of improvements, we first came to the Town with this project in March of twenty nineteen, it's been a long road, we really look forward to getting to work on the renovation, I have to add that if substantial additional time is placed in this review, this project will fail, alright, so we need ___ so I just want to put that in the record and thank you for the help; Matt did you have anything else to add; no, Glenn summed it up very well and I will be available on Tuesday if there are any technical questions that you have __ Planning Board, the design, the stormwater, septic and all those sorts of things, this has been going on for a long time and we don't want to belabor it any longer ___; I have a question; Amber; how far away do you think you are from the Health Department approval; ___ there's an existing ___ for water resources, other than that, we should be able to get that approval ___; just cause we'd want to have dovetailed site plans, special permit with you getting that, all at the same time; okay.

The Supervisor declared the public hearing closed at 5:18 p. m. and reconvened the recessed public hearing on the Shanty Bay wetlands application.

The Supervisor explained that this is a wetlands application we're dealing with, it's not anything else other than the actual application before us, we have some information from the CAC that we were waiting for and some information from the Planning Board, Jim do you want to give us the Planning Board; I don't have the Planning Board report; I've got it; this just came in yesterday, okay; yeah it's dated August 19th and the highlights that I had __ that I skip over, the Town Board should consider which plan submitted by the applicant has the most current wetlands demarcation and the credentials of the delineated professional, a second comment was the Town should require the merger of the lots as a requirement for the building permit issue, we recommend that the Town limit the intrusions of the deck to one hundred square feet, additionally we request that the deck boards be installed with three eight inch gaps to permit stormwater to permeate through the deck for ground recharge, four, the site plan indicated that a ten foot wide non-turf buffer would be installed landward of the wetlands delineation, we recommend that the Town Board request that this be widened to fifteen or twenty feet to limit stormwater running across the turf portion of the property and flowing into the harbor and then we recommend five, that the Town Board emphasize the importance of employing best practices during construction, no exterior or noisy construction between Memorial Day and Labor Day, off street parking of construction

vehicles on neither Tuthill Drive or Oak Road __ requirement of a foundation survey prior to further construction, upland storage of fill and construction materials and concrete washout to prevent concrete sediments being discharged to the ground and making them easily disposable and overall they recommended approval of the wetlands permit; subject to __; yes; so Bob DeStefano, my question would be whether the Town should require a merger of the lots as required ___ I don't know if that recommendation is valid; I don't think it is a problem, they intend to merge lots; okay; I think they planned to merge the lots before the permit; so the other part is number one, as Amber said, the DEC requires wetlands demarcation to be less than five years old, so the Town Board should consider which plans submitted by the applicant has the most current wetlands demarcation, so we just have to make sure we're on the same page.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: ____; sure; I'm Matt Sherman of Sherman Engineering, I'm here on this application, ____ the Planning Board and the CAC, I'll just give you a quick update on the __ of the project, the property is two separate lots, it's on the waterside of Tuthill Drive, these two lots are separate lots for ___, up until a few years ago they were considered __ because they were under a common name, however that ___ Town Code, Town policy __ about whether or not ___ and when the wetlands permit is approved, the property owner will merge those lots and then get a building permit, that way, nothing can get constructed on the property without them having merged those lots, so that's ___ with the process, a lot of the other comments that they had at the CAC and Planning Board review, talking about the wetlands delineated, the last was from twenty seventeen, it was done by ___ recognized by __ wetlands, he does all the ___ Sag Harbor, other towns, other villages, he's the expert __ wetlands boundary ___, that __, those setbacks ___ are designed so __ seventy-five feet from that lot __ the DEC process ___ the DEC recommended ___ setback from the wetlands became so narrow that __ usable livable space beyond __ feet, they are recommending that we go to six foot, six and a half foot ___ more than the property owner has gotten so that __ report is about five feet off the __ building ___ five foot six inches _ __, ____ six and a half foot __ the ground ___ this is gonna be five foot off the ground ___, the septic system ___ from the Health Department __ impossible to get ___ water, he's got stormwater drains ___ all the stormwater on site that's gonna be __ surfaces ___, we're gonna have __, ___ gallons per minute ___ so ___ the ___ two hundred and fifty gallons or larger holding tank in the house __ so ___ potable water, so the site as a whole has gone through many considerations, ___ we got to the point that the Planning Board review and recommendation for approval, the CAC's recommendation for approval, the Health Department approval ___ DEC permit, approval from them __ and get a letter of non-jurisdiction from them ___ outside of their jurisdiction ___ at this point __ for the Town Board, I don't know, I can __ on my computer __ that shows some of the concerns that some of the __ look at and discuss it, there was some concern about where ___ as access to the water, but that did not, a lot of those lots along the south side of Tuthill Drive __ purpose __ south side of Tuthill Drive were __ as twenty-five foot wide ___ the property ___ was __; I'm Bob Kohn, I haven't had a chance to meet you in person, there are some advantages to being on a screen, so we can show some of these maps, maybe Matt can help me out with some of the maps that we have, I just, I know that the lot merger issue is not part of the wetlands discussion but since Matt had an opportunity to address it, I want to address it just briefly, and that is that he has finally admitted that the two lots were not merged and they're not merged today, it is quite clear and I think you should get independent counsel advice that the Town Board had an opportunity to approve or disapprove lot mergers when you revoked the Town statutory merger provision, that means that the property owner no longer by operation of law or by request, simply merge lots because they are commonly owned by the same entity, when you remove the statutory merger provision, that reverted the permission back to the Town, I'm not saying that you don't have the discretion to do it or not, you certainly do have discretion to merge lots, if you accept the Town Attorney's interpretation, then anyone in the Town who owns two properties together can simply merge it on their own rather than getting the permission, that's what he's suggesting, that cannot be the law so it is up to you to make this lot merger decision, it is a pre-requisite to getting a building permit as Laurie Beard had said in her letter to the property owner, that a condition to getting a building permit, you must first get the lots merged so that's the decision the Town should take after the wetlands decision or before the wetlands application decision but that is in your discretion, if you give up that discretion, why did you have a statutory merger decision to begin with and why did you take it away, it doesn't make any sense; so Bob DeStefano, if we approve the wetlands permit, would it be pending merger; I do not believe that the Town Board needs to determine whether there is a merger or not, I think that can be done by the applicant, by an individual homeowner, there's nothing in the Town Code or New York State Town Law that requires a Town to have a provision where they approve or disapprove a merger; that's simply

wrong, as I showed you, I gave you a copy of the Court of Appeals opinion where it says that lots don't automatically get merged when it's owned by the same entity or person; it's an automatic merger, that's what we got rid of, it doesn't necessarily mean __; Bob I think you're too invested in this, alright, the Board, before it gives a universal right to approve lot mergers in this Town, they should get independent counsel before listening to your advice, I'm perfectly accepting the fact that the Town has the discretion but by repealing the statutory merger provision which allowed the homeowner to make the decision on the lot merger without having to ask the Town if they're non-conformed lots, by taking that away, by reversing the Code, by undoing that Code provision, you left it back to the Town and that's what the Court of Appeals decision said, so you're absolutely wrong on the law, we have a disagreement here on the law, two lawyers disagree on law every single day and I am just suggesting, use common sense before the Town gives up this right, it may cause havoc all over, as a matter of fact, your resolution when you passed the revocation of the statutory merger provision said that the statutory merger provision could lead to unintended consequences and in my position, this particular thing __ consequence, just to address going back to Matt Sherman, again and just quickly and I will get to the wetlands application permit in a moment, I, people who bought property across the street on the not ocean side of Tuthill also bought the twenty-five foot strips, as a matter of fact, the McLeans when they bought their current house on other side of Tuthill, 37 Tuthill I believe, they bought at the same time, the lot, improved lot and the unimproved lot across the street from the access that it provided, and they know what the laws were at the time, they knew what the wetlands law was, they knew what the building codes were and what the zoning codes were at the time of the acquired property so this should be no surprise that their vision for the property doesn't match what they can do under the Town rules or what the Town discretion might be, okay, so I do think the character of the neighborhood, all along that strip is for people on the other side of that twenty-five foot strip, if you take that twenty-five foot strip away, what some of the homeowners have done on that side, I'm not saying they haven't, you take those away, the piece on the other side now has to use the Town landing or the __ to get the beach access that they'd like to have and they don't think you should be making a bad problem even worse by allowing that lot merger to occur; but those homeowners had the option to buy that, right; yeah I suppose so, I have a lot across the street but I bought it the same time that I bought my property, I could sell that strip if I wanted, to somebody else but that doesn't affect the lot merger, someone next door would __, if the people next door to my little strip, wanted to acquire the strip from me and then merge the two, okay, they could buy the strip from me but they couldn't automatically merge it just because they owned just __, they've got to go to the Town to get permission cause the statutory merger provision has been repealed, that's the argument and I'm not saying you don't have discretion, you do have discretion, if you go with the Town Attorney though, you lose it across the board and that sets a precedent that other landowners are gonna use against you and it's not gonna be a good thing, I'm not your lawyer, I'm just simply saying, get independent advice on that; yeah; cause this just doesn't make any sense; Mr. Wagner, do you want to respond to that Mr. Wagner or do you want to wait; yeah so thank you Mr. Chairman, I would like to address two issues that were just raised, the first has to do with the lot merger, I think I explained the applicant's position in my letter to the Board, which is that there is in fact no application on the books of the Town for applying for a merger or joining lots, it doesn't exist, there is precedence also with the Town for people voluntarily choosing to build on two adjoining tax lots, they made that choice, you don't have to be limited to the size of your lot, you buy a lot next door, you can use that property as well and I gave you an example of the McLean's property right across the street which is actually, that house was built on two separate tax parcels and there's nothing that __ that from happening, with regard to whether, I want to move on to say that as I made clear before and I'll make it clear again, and as you just had a recommendation on, that applicant has throughout out this process, been willing to merge the two lots, it's for the better part of the Town and the community, that the lots be merged for these purposes, you have a recommendation before you know that a merger will actually take place and I reiterate that that applicant has often stated the position that they are willing to do so and I also explained previously to the Board that the mechanism for doing that is by putting it on the record that effectively merged the two parcels and declares that henceforth they will be held as one single parcel and just so you know what happens in that situation, when a deed like that is recorded in the County, the Real Property Tax Services people take that and they effectively create a single tax parcel that covers the two merged parcels, you've probably seen that there are a lot of retired parcels of record in the County, they get retired because a subdivision takes place or a merger takes place, there is no reason for an application, there's no reason for the Board to have to address this issue in the context of the wetlands application, as I said before, the Board is inclined to require as a condition that the lots be merged, they can do so and the applicant is willing to comply with that condition; okay; the second thing I wanted to talk about was regarding the so called beach access parcel, we've

heard this argument before, I think what Mr. Kohn is implying is that there is some right of the public to traverse that property to get to the water, he has not produced any document that would justify that conclusion, the way to rights over another person's property is by either covenant or an easement, there's no recording document that creates those rights, I don't have a right to walk across a neighbor's property because it creates a shortcut to get to the beach, I have to own that right, it has to be given to me as an easement or a license or as a deed, you don't just get to do it because you feel you want to do it and you don't get to tell our neighbor that you can't do it on that property cause I want to walk across it, that's not the way it works; you are speaking a lie; can we get back to the wetlands permit; just a quick response, it's State Law that you have the discretion whether to merge two lots, after the merger provision was taken away and the example he gave was a particular property across the street was done while the statutory merger was intact, so therefore they could merge by operation of law without getting Town approval, that's no longer the case in __, I'm done with that, I finished with that, okay now to the wetlands question, now in two thousand one a wetlands line was drawn, I sent you a map to that effect as part of my letter of response to Mr. Wagner's letter or the wetlands application letter that we sent that several of my neighbors had signed and then submitted to you, in two thousand and one, a wetlands line was drawn and approximately from my untrained eyes, it looks as though it's a long ___ today cause you can see the retaining wall on the neighbor's property and the wetlands line is actually more landward than the retaining wall on McAndrew's property, that's two thousand one and that was the line that the property owners submitted to the County in two thousand and ten, now in two thousand one to two thousand ten, the line didn't move and he agreed with that line in two thousand ten, in two thousand thirteen another wetlands line was drawn which was part of Mr. Voorhees' report which is almost from my untrained eyes, exactly where it was before, along the rock revetment area so for thirteen years the wetlands line from two thousand one to two thousand thirteen did not move, the owner now wants to put a rock revetment there so in two thousand fifteen there's another one but if he did the rock revetment where it is, it would have been in the wetlands, he would never get approval so the new surveyor put the wetlands line further seaward so that there could be a rock revetment, that is the two thousand fifteen; you are so out of line; you had the opportunity to respond; I will; I'm not suggesting anyone did anything; yes you are; I didn't mean to; you certainly did; while I'm just suggesting that; __; __; I'm just simply saying now from two thousand thirteen, this is all I'm saying, from two thousand thirteen to two thousand fifteen, the wetlands line moved about, I don't know how many feet, I can't measure on that, it must be ten feet or something like that, toward the water, then in two thousand, then a revetment was put in and two years later in two thousand seventeen another wetlands delineation was done and it's even a few feet closer to the water again, okay, now I had Paul Grosser send somebody out there to take a look, he couldn't do a wetlands delineation because we don't have access to the property ___, they just did site observation, they sent you a letter, and it puts the wetlands line about where the rock revetment is which is about where it was, he said it pushed back to the rock line, it's six to seven feet on one side and about two feet on the other, a difference is, as you know, so now I got a guy take a look at it and say well I see seagrass in the non-wetlands area that that have on this, okay, so I don't know which one is right, okay, and the Town Board doesn't have to accept what the latest is it doesn't have to accept the old one or the new one, whatever, I'm saying with moving around like this and actually in the direction of the contour of the I __ what's going on, I just made a recommendation that, have as a condition to the wetlands application, which we have under this section, that he is __, require him to provide more facts and data, which he can do, and you can have a new wetlands delineation, not as in two thousand seventeen, not the one that I kind of did, that wasn't really one, but do one now, it doesn't cost much, it cost me six hundred dollars or five hundred fifty dollars to get a __ to do what they did, have him do a new one, the Board could put a member to observe the guy doing it and finding out where the wetlands line is, if it's really where he says it is, it's still where it was in two thousand seventeen, then we all have to accept it but the seventy-five feet is based upon the __ and the line has been moving all over the place and maybe the line can move because of the condition, I'm not suggesting that they move it for any bad purpose, they do move because of nature; and the question is what is the latest wetlands line, right, and it's not two thousand seventeen, it's two thousand twenty and that's when you should have it done, for additional information, it's the only fair thing to do; hey Matt, I've just got to say something, I just got to ask you, it does seem kind of odd that it's going in reverse of what you think with the climate change and the rise in tides, how is it going the opposite way; I don't know how far the tide has risen over the last couple of years, I do know that during the CAC meetings, they reported they found that ___ about tidal changes, sea level rise and what it is expected to be in the future __ scale of __ sea level change over the course of a few years, we got Superstorm Sandy, nor'easter and hurricanes and tropical storms, they're gonna move that line back and forth so it could go forward a little bit, it really does depend on what happened the previous few years,

Mr. Kohn just said that __, he's using some ___, was it really a wetlands so basically he sent somebody out there to eyeball this, and they said they don't know, so he wants us to take a __ within a national standard of what would be accepted as a wetlands delineation, he wants us to find that out ___ doesn't make sense, I could see if we had somebody who was a five hundred, only had five or six years of experience __ to come out and say here's your line but he didn't do that, they had Mr. Voorhees who's got forty-five some odd years of experience, who is the area expert __ to verify somebody else's wetlands line so it's like __; and I'm not questioning Mr. Voorhee's expertise at all and he didn't say but Paul Grosser didn't say it was more or less, he said it was less; ___; no he said it moved landward six or seven feet on one side and probably one to two feet on the other but he did not do delineation, I admit that, that's why I'm only suggesting that given the controversy, the fact that this has been going on for what, ten, twelve years now, what is an extra month which is all it would take to have a wetlands guy go out and re-delineate it, someone who is independent, someone that is not my guy, not Mr. Voorhees, not Mr. Grosser, and somebody that can contract it out and somebody else to go in there and it could be done at the property owner's expense cause he is required to complete an application and provide you the facts and information; the Planning Board said they wanted one done within the last five years, I'm assuming that's from two thousand fifteen down, two thousand seventeen falls within those five years, why can't we accept it; the CAC wanted to accept it and you've got a guy saying this line is in question, because it's in question, you have to go back and verify it with the guy who said it is in question so ___; the seventy-five feet is not really a number, it's just a matter of how, you know, it was a totally discretionary thing that __, you can accept whatever one you want but here's the situation, it's looped so dramatically in the wrong direction that, and we've had so many changes in nature, get the latest one, that's facts and information, why would you use something that's three years old when I'd have someone coming in, even if it's an eyeball, and it doesn't look like it, to that's all I'm suggesting; I can only tell you, that if you go out to Coecles Harbor and Reel Point, there are certain areas at Reel Point that had narrowed, certain areas on the other side of Reel Point which are __ so if you go to the Mashomack side of the channel, you could see where that, over the course of decades had elongated and got wider, so it is a dynamic situation; fair enough; but I'm just saying, if you look at trends, it not a, you know, if somebody said to me you know, we're accepting one, should we accept one that happened twenty years ago and I'd say hey listen, twenty years is twenty years, that shoreline could move, they're giving you a parameter and they're telling you five years and the person that has a survey that's done within the last five years and this is a reputable person who determines where it is, why isn't that good enough; well you have to question the underlying fact, I suggested that from two thousand thirteen to two thousand fifteen, it moved over ten feet from eyeballing it or something like that, and then so it moved that far in two years, why can't it move as much in three since two thousand seventeen, so that's all I'm suggesting, I mean this, if it was a part of the Island where the wetlands hadn't moved for twenty years you know, then why would you go back move that three years; the other thing, I think the CAC and Craig is here, has talked about is people can go in and put in bulkheads you know, that really protect them and really claim a line and then again we replace bulkhead after bulkhead after bulkhead as storms start to wash out that sand further and further and further out and there's a sandbar out off that, a quarter of a mile off the bulkhead, this is a rock revetment which is more natural there, I would think, and a little bit easier in terms of a natural shoreline which cuts down on the amount of, the way that's been coming in and scooping out so I think more people on the Island can come to a more natural shoreline and less in terms of bulkheads, this Island overall would have been in a better situation than we have gotten, Reel Point is a perfect example, if you take a look at all the bulkheads that are north of, the reason we're not replenishing that eastern shoreline is because there's no sand there, the bulkhead is right there in the water and there is no sand coming in, that's why we keep losing it on the eastern shoreline; Craig; just on the CAC and the rock revetment, we were very, we appreciated the rock revetment, we wanted to make sure they continued that, there are places, I think probably Silver Beach would be gone, a lot would be gone if we didn't bulkhead them; right; __ is a perfect example; but we did talk about a moving shoreline and the idea that that rock revetment could have actually built beach during Sandy, during storms and so that could be for that extension and frost specifically, the seventy-five foot is the DEC delineation and they were fine with the things that came through from them so we just __ off their approval; right; okay, so I, just to finish up, it's your decision that's submitted, I want to apologize to Mr. McLean if he thought that I suggested anything that was un__ by the Town Attorney, by any Town Board member, by you or I or by anyone else involved in this _ attorney, Mr. Voorhees, I never made the suggestion, it may have sounded, you may have in your own mind what I am thinking but I want you to know that it's not personal and I just want to, if the Town has a standard that it's gonna use, it's got to be consistent you know and our biggest beef really has to do with the process of, it has nothing to do with this but the ZBA thing, the way this was presented

to you, your hands are tied, I strongly disagree with that and that's what kind of shocked the rest of us, that we were not aware that there was an agreement that was done, _ a complete reversal that was done in two thousand and sixteen, cause Laury Dowd, representing the ZBA and then three years later, bang, it was totally reversed and then with the ZBA, in executive session, I would say was a violation of the Open Meetings Law, we asked the ZBA to recognize that it was __ over the hearing, they had the opportunity to have whatever ___ the wetlands application but that's kind of where we are and I do apologize, I want to be helpful; in terms of our hands being tied comment, it was a bad comment from the get go, our hands are never tied, I want to make that abundantly clear and I think this Town Board knows that so if anybody had said that or suggested that our hands are tied on anything, they're not __, we're intelligent people, we can sit down and ascertain the truth, get as close to the truth as possible and make it a fair decision and that's what we're trying to do; that is evident, it has always been evident of the Town Board for as long as I've sat in these meetings, I agree with you, thank you very much; thank you; Mr. Wagner, before Mr. McLean speaks, did you want to say anything else; I just wanted to point out that with respect to Mr. Voorhees, as you have in your record now, Mr. Voorhees did respond to the P. W. Grosser letter and reconfirmed his investigation of the wetlands line, he also set forth his very extensive credentials for making his delineations and he also pointed out that his line has in fact been relied upon and been accepted by the DEC and also by the Suffolk County Health Department, so of all those things, I mean I think that line is certainly, I think at this point, it's beyond dispute, an unreasonable dispute and I think that there's nothing that requires that we re-evaluate lines every two weeks or whatever, whatever he's suggesting here, this particular delineation was done within five years, it was relied upon by other agencies charged with the regulation of wetlands and I think it's probably as good as the delineation and I think Mr. Voorhees made his case for confirming it, thank you; thank you, Mr. McLean, are you really inviting me, I didn't intend to speak but I want to say this, this process started with the Town of Shelter Island in the summer of two thousand and four, the application to the ZBA started in July of two thousand and nine, in two thousand and four there was a conversation with the Town Supervisor and Mary Wilson that you know if you continued this process, you will have to voluntarily merge the lots, do you understand, so that has been from the get go, that these two lots were always to be merged, so in two thousand and nine we started the application, my wife and I, our neighbors had different opinions, some of them were based on fact, some of them were based on misinformation, we never disparaged anybody, we tried to remain friendly, some of our biggest adversaries at that point are still friends today and what we decided, it's America and we really didn't agree with the ZBA decision so we chose to hire an attorney to investigate because nobody has discussed this, not only did we challenge the ZBA decision, we were challenging the fact that the great Laury Dowd wrote her decision that our property was unbuildable, so therefore our attorneys recommended that we pursue two avenues, one challenged the ZBA cause most of the block on the entire waterside had thereabouts twenty foot setbacks, the other is, I'm paying for a building lot and you're now telling me it's, and I paid for it when I bought it, as a building lot and now you're telling me it's not a building lot so we, a little upset but with smiles on our face, proceed to have many meetings with our neighbors, so we are are a little bit of upset but with smiles on our face, proceeded to have many meetings with our neighbors, we had scale models of the house built, we revised the drawings three times between July of two thousand and nine and ultimately September of two thousand and ten, you know time, nobody was ramming this down anybody's throat, we wanted everybody to come on board, in two thousand and ten, six of my neighbors, the legal six surrounding this property, recanted their letters of disagreement and wrote letters in agreement, some of those people today, have signed on to Mr. Kohn's and again the house in September of two thousand and ten was thirty-five percent larger than the house that's before you today, living space, okay, that doesn't make any sense, if you agreed the one house, how could you disagree to a house that's even smaller and it became smaller as a result of four negotiations with the Town of Shelter Island over what we now see the course of eleven years and one month, cause this process started in the month of July of two thousand and nine, we have pursued amicably, friendly and legally, every aspect to protect our land rights, we even at one point, gave up negotiating with the Town cause we still had different opinions and we cast our fates to the wind and said let the judge, let the Supreme Court judge decide on this, if we lose, I'll take my bags and I'll go home, I'll go across the street actually, if we win, so be it and that's what we did, we cast our everything to the wind and allowed this judge to make a decision, he made a decision, basically on our behalf but he also gave you the right to negotiate with me and me the right to negotiate with you to come up with something that was even more amicable and more suitable to the property which resulted in the house being reduced by thirty-five percent, okay, we limited the size of the house to twenty-five feet, we eliminated one thousand and eighty-eight square feet that nobody wants to talk about in the basement there was livable space, cause people objected that I was building bedrooms so that my children when they come to visit during

the summer, they'd have the space, the private space to stay, so we eliminated the basement, we gave them a thousand and eighty-eight square feet right off the bat, we eliminated the height to twenty-five feet, we now are building a house that is twenty-one feet wide, I don't know if a __ dock is twenty-one feet wide but that's what it feels like, okay, and then they had the audacity that I'm a developer and I'm gonna flip the property, well if I flipped properties every nineteen years, I don't know how long I'm gonna be in business, I plan on building that house, I plan on living in that house and I plan to die in that house and that's the intention and they've taken that away from me for eleven years, but I'm not going away so we're here with the last hurdle of asking you to consider our wetlands permit, approve it, so I can then go on to the next step amicably, friendly and legally and built from a building permit and that's all, and this other information that you've been ___ me, I said at the Planning Board meeting, it's somewhere between fabrication and fairy tale, no of it is really real but he's here with a tutorial to teach you how to run your Town and to make the comment that Mr. and Bob is too invested in the project that he might even be inept as of the midnight team meeting, this is ludicrous, you're not corrupt, I didn't pay off a Board member and we're entitled to our permit so long as we meet your Town requirements and New York State Code, it's not reverse, I'm sorry, I didn't mean to say it but that's what I have to say; you've been waiting twelve years, I think you are entitled to say what you want to say; I think that's fair enough, I just think that you deal with the facts and with the thirty-seven square foot house today that we're looking at, it's still seventy-eight, seventy-nine feet wide, it's not to say; it's sixty-five feet clear on either side of that house to my neighbors and I dare you to go up Tuthill Drive and find a vista on either side of the house that gives the neighbors who walk by my house, what my property, sixty-five feet before they get to my house and after they get to the house, to look at the bay, every, not only are the vistas really close together but most of my neighbors put flags there to block the view; right; I'd like to __ to that because I think you've been very respectful and you've both been given an opportunity to speak and I think you both spoke very well ___ and basically; I agree, thank you; I think __ very good; okay, thank you.

The Supervisor declared the public hearing closed at 6:06 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' wide crossover stairs for pedestrian access, and repair existing offshore platform/dock as needed in Shanty Bay of Coecles Harbor.

The Supervisor called for a report of the Waterways Committee of the Town Board which was as follows: it's a not ___, there wasn't enough information so, the contractor wasn't able to attend the meeting and therefore their discussion was postponed, it will be taken up at the September meeting and that was told to the Carrolls.

The Supervisor recessed the public hearing at 6:08 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 415

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

"Whereas", Karin Lissakers, 66 Peconic Avenue, has petitioned the Town of Shelter Island for permission to remove 110 feet of existing bulkhead and 102 feet of existing old landward bulkhead, and construct 102 feet of new bulkhead in-place of old landward bulkhead raising the top elevation to match top elevation of existing bulkhead section to west, and

"Whereas", a public hearing was duly held on the 21st day of August, 2020, 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 removal and 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. 416

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

"Whereas", Hirsch & Co./Vincent Seddio, 26 Hilo Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay, 70 feet off applicant's dock, 150 feet south of the Dowling W-2242 mooring; said location is designated as latitude 41.035421° north and longitude 72.213724° west, and

"Whereas", a public hearing was duly held on the 21st day of August, 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 installation of a mooring in West Neck Bay at a location designated as latitude 41.065065° north and longitude 72.360337° 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.

On motion of Supervisor Siller and seconded by Councilman Colligan, the meeting was adjourned at 6:16 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

August 25, 2020

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 25th day of August, 2020 via Zoom. Town Board members present were Supervisor Gerard F. Siller, Councilmen James Colligan, Albert Dickson, and Michael J. Bebon. Councilwoman Amber Brach-Williams and Town Attorney Robert J. DeStefano, Jr. were absent. Town Clerk Dorothy S. Ogar and approximately ten persons were present.

The Supervisor called the special meeting to order at 2:21 p. m.

Supervisor Siller offered a motion which was seconded by Councilman Bebon, to waive the signing of a waiver of notice to hold said special meeting.

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

This motion was carried.

RESOLUTION NO. 417

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

"Whereas", Nicholas J. Savage, Shorewood Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as latitude 41.051858° north and longitude 72.315239° west, and

"Whereas", a public hearing was duly held on the 21st day of August, 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.

After a short discussion, the Supervisor declared the resolution tabled for more information and discussion.

RESOLUTION NO. 418

Supervisor Siller 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 5:00 p. m., prevailing time on the 11th day of September, 2020, in the Shelter Island Town Hall, Shelter lsland, New York, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled Amendment to Chapter 126 Traffic, to wit:

SECTION 1. The following is hereby added to the Shelter Island Town Code as section 126-8.2

§ 126-8.2 Removal of vehicles parked in violation.

Any vehicle parked in violation of any provision of this Chapter or any other law, ordinance, rule or regulation may be removed or caused to be removed by or at the direction of any police officer of the Town of Shelter Island and, after such removal, stored or caused to be stored in a suitable place at the expense of the owner. The owner or person in charge of such vehicle may redeem the same upon payment to the Shelter Island Town Police Department of the amount of all outstanding fines plus the actual and necessary expenses incurred in the removal and storage of such vehicle. The Shelter Island Police Department shall ascertain, to the extent possible, the owner or person in charge of such vehicle and shall notify them of the amount which will be required to redeem the same.

SECTION 2. Section 126-11(A) is hereby amended to read as follows:

§ 126-11 Penalties for offenses.

A. A violation of § 126- 8 or § 126-8.1 of this Chapter or a violation of any other law, ordinance, rule or regulation shall be deemed a traffic infraction and shall be punishable as per the fine schedule adopted and amended from time to time by the Town Board.

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

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 2:28 p. m.

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

This motion was carried.

Dorothy S. Ogar
Town Clerk

September 11, 2020

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 11th day of September, 2020, via Zoom and in person. 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 seven persons in room and approximately six persons on Zoom were also present.

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

Salute to flag.

The Supervisor called for a moment of silence in remembrance of 9/11.

The Supervisor made the following statement:

This is the September 11, 2020 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 Tom Field requesting his application fee for a stake, mooring and pulley system be returned.
2. An e-mail from Ann Dunbar, in which she states that she has resigned from the West Neck Water District.
3. An e-mail dated September 3, 2020, from Mike Laspia resigning as a member of the Community Preservation Fund Advisory Board.
4. An e-mail from John Wagner containing an attached letter and revised resolution concerning the application of Shanty Bay Property LLC for a wetlands permit at 44 and 46 Tuthill Drive.

The Supervisor presented to following financial report for the month of July 2020

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR

JULY 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	7,111,915.32	656,174.75	758,942.71	7,009,147.36	809,553.81
Hwy Checking	1,754,635.33	284,861.23	160,385.26	1,879,111.30	
T&AChecking	543,525.85	43,288.83	501,213.05	85,601.63	10,512.49
T&A Savings	12,236.12	0.31		12,236.43	
Hwy Cap Res	346,994.55	8.89		349,003.44	
WNW Supply	10,167.81	9,986.31	5,529.66	14,624.46	154,196.71
Taylor's Island	44,113.49	1.86		44,115.35	
Comm Preserv	1,092,340.42	246,757.62	32,827.82	1,306,270.22	5,902,077.57
Waterways	304,763.10	7,020.00	2,000.00	309,783.10	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,196.63
Environmental	0.00			0.00	5,676.71
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul. Reserv	232,390.26	1.62	45,931.98	186,459.90	
Ambul Train	24,476.07	0.62		24,476.69	
TOTALS	13,786,204.98	1,248,102.04	1,506,830.48	13,527,476.54	7,253,213.92

RESOLUTION NO. 419

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

"Whereas", Jose Fernandez and Andrea Gabor, 17 Sylvan Road, have petitioned the Town of Shelter Island for permission to construct a 3' by 20' ramp leading to a 3' by 30' catwalk with thru-flow decking over marsh area and install a 3' by 8' 4" stairway on seaward end, in Chase Creek, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 2nd day of October, 2020, 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. 420

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

"Whereas", Brian F. Carroll, 58 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor off applicant's property at a location designated as latitude 41.073391° north and longitude 72.282528° west; said location was formerly occupied by C-1092 W. Ivers 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 4:42 p. m., prevailing time, on the 2nd day of October, 2020, 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. 421

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

"Whereas", Karin A. Sanders, 12 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 41.06263° north and 72.36736° west; said stake, mooring and pulley location was formerly occupied by the W-1122 Tarpinian stake, mooring and pulley system, 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 2nd day of October, 2020, 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 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. 422

Councilman Bebon 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 15th day of September, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for budget purposes.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 423

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

BE IT RESOLVED, That Mark Keerans is hereby appointed to serve as Maintenance Mechanic I for the Residential Repair Program for the year 2020 at the rate of $23.00 per hour effective September 3, 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 424

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

"Whereas", the Town of Shelter Island desires to have continuity of leadership in the building department;

BE IT RESOLVED, That in the absence of the Department Head, Reed Karen shall assume all of the powers and duties of that position; and

BE IT FURTHER RESOLVED, That this assignment 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. 425

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 check received from The Hartford in the amount of $299.97 to the DA5130.446 Highway Machinery expense account, and the reimbursement funds for Covid from New York State in the amount of $14,576.51 as follows: $11,316.51 to the A3120.110 Police Department regular overtime account, $1,562.36 to the A3120.131 Police Department clerk overtime account, $283.50 to the A3120.484 Police Department office and miscellaneous account, and $1,414.14 to the A3120.200 Police Department equipment 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. 426

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 $750.00 from the 2020 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 October 1, 2020 through December 31, 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 427

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 $400.00 from the 2020 A3120.491 Police Department contracts account to Magloclen, Attn: Fiscal Department, Suite 100, 140 Terry Drive, Newtown, Pennsylvania 18940, for the annual user fee effective July 1, 2020 through June 30, 2021, for the crime law enforcement network.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 428

Councilman Dickson offered the following resolution, which was seconded by Councilwoman Brach-Williams, 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 2020 summer season, and

"Whereas", Kayak Shelter Island, LLC. has purchased Jay Damuck's kayak rental business, 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, Inc. to conduct said activity for the year 2020, and

BE IT FURTHER RESOLVED, That the applicant shall execute an agreement with the Town of Shelter Island agreeing to the terms of this permit and indemnifying the Town from any and all liability for any damages caused as a result of the operation of the business.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 429

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

"Whereas", sealed bids for the proposed installation of air conditioning in the American Legion Hall, were received by the Town Clerk's Office until 3 p. m. on the 10th day of September, 2020, at which time they were publicly opened and read aloud as follows:

Shelter Island Mechanical	$22,000.00
Zurab's HVAC Inc.	$23,000.00, and

"Whereas", Brian Sherman, Commissioner of Public Works, has reviewed said bids and recommended the bid to be awarded to Shelter Island Mechanical, now, Therefore

BE IT RESOLVED, That the Town Board awards said bid to Shelter Island Mechanical, the lowest responsible bidder, for the sum of $22,000.00.

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. 430

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 agreement between the Town of Shelter Island and Cornell Cooperative Extension of Suffolk County which will provide that Cornell Cooperative Extension will provide for a shellfish seed program to the Town of Shelter Island for restocking Town waters for the sum of $7,500.00; all shellfish will be delivered by November 30, 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 431

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

"Whereas", Brian Sherman, Commissioner of Public Works, has requested permission to readvertise for sealed bids for the proposed replacement of ten windows for the American Legion Hall, now, Therefore

BE IT RESOLVED, That said request 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. 432

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Siller, 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 15th day of September, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for necessary transactions of the 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. 433

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

"Whereas", Pridwin Hotel LTD has applied for a special permit and site plan review seeking a permit to undertake significant construction at an existing hotel located at 81 Shore Road, Shelter Island, NY, which is Zone AA to A Near Shore and Peninsular Overlay District on the Shelter Island Zoning Map, and specifically described on the Suffolk County Tax Map as 0700/13/01/20; and

"Whereas", the Building Official reviewed the application and issued a letter of disapproval on June 4, 2019 stating that applicant needs a special permit; and

"Whereas", the applicant has filed an application for a special permit from the Zoning Board of Appeals for the following improvements:

1. Expand second story by 1249 sq., ft.; and
2. Expand third story by 1349 sq. ft.; and
3. Expand the front of the building under the decks by additional 2468 sq. ft.; and
4. Excavate and finish basement areas by additional 1801 sq. ft.; and
5. Add 514 sq. ft. porte cochere entrance; and
6. Add 300 sq. ft. deck and egress stairs; and
7. Construct 700 sq. ft. pool patio and 880 sq. ft. deck for four seasonal pool cabanas; and
8. Add 2 ADA parking spaces; and
9. Construct seven new cottages; and
10. Construct new laundry/utility building; and
11. Relocate an existing laundry building and reconfigure it as a tennis office; and
12. Reconfigure the parking area; and
13. Add new signage to direct the traffic flow; and
14. Reopen a previously closed coffee shop; and
15. Add a spa; and

"Whereas", the Zoning Board of Appeals issued special permits (this application was previously broken into two phases) dated August 28, 2019 (revised August 21, 2020), and November 13, 2019; and

"Whereas", this Board considered the application and accompanying documents at a public hearing held pursuant to notice on August 21, 2020; and

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

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

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF Parts 1 and 2 and the Negative Declaration; and

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

1. Applicant is currently operating a hotel as a pre-existing nonconforming use; and
2. The applicant has applied to the Suffolk County Department of Health Services for a permit to install a nitrogen reducing septic system; and
3. The applicant has filed a SWPPP with the Town of Shelter Island; and
4. Parking and traffic management have been reviewed and are appropriately managed in the site plan and conditions hereto; and
5. The plan proposes extensive improvements in ADA compliance, parking, traffic management, environmental impact, and fire safety; and

BE IT FURTHER RESOLVED, That the Board reviewed general suitability, location, public services, environmental concerns and site development, and finds this project to be in the best interest of the Town; and

BE IT FURTHER RESOLVED, That, to the extent that they are constructed as depicted on the survey by John Metzger Land Surveyor dated July 10, 2019 and plans by Stokes Architecture + Design dated June 3, 2019 and site plan revision dated October 28, 2019 *(*together with the Agreement between the parties executed on October 30, 2019), the requested special permit for the above described work to be conducted at the premises is hereby granted subject to the following:

1. The applicant must comply with the restrictions imposed by the Zoning Board of Appeals; and

2. The applicant shall obtain a permit for a nitrogen reducing septic system from the Suffolk County Department of Health Services prior to obtaining a building permit, and

3. The applicant must adhere to the SWPPP plan submitted to the Town; and

4. The existing septic system shall be replaced by a nitrogen reducing IAOWTS septic system; and

5. Construction procedures and erosion controls including the anchored installation and maintenance of silt fences during all stages of construction shall be required; and

6. No public street or public or private right-of-way may be obstructed or impaired during construction; and

7. 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

8. Prior to issuance of a building 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

9. The Building Inspector may halt construction for a violation of any violation of these provisions; and

10. This Special Permit may be revoked if the applicant or any successor fails to abide by the conditions above; and

11. This approval is subject to any outstanding Board of Health approvals; 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. 434

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

"Whereas" The Town of Shelter Island wishes to alleviate congestion due to parking on Bootlegger's Alley and assure access for emergency vehicles; now, Therefore

"Whereas" The Town of Shelter Island wishes to alleviate congestion due to parking on Bootlegger's Alley and assure access for emergency vehicles; and

"Whereas", a public hearing was held on the 19th day of June, 2020, and continued at subsequent meetings, on a proposed Local Law entitled Alter Parking Requirements for Bootlegger's Alley; and

"Whereas", all interested persons were heard in favor of or in opposition to said proposed Local Law, now, Therefore

BE IT RESOLVED, That Local Law No. 6 - 2020 entitled Alter Parking Requirements for Bootlegger's Alley is hereby adopted, to wit:

Section 1. Chapter 126, Section 126-8 of the Shelter Island Town Code shall be amended in that the following subsection shall be added:

(III) Bootleggers Alley

1. There shall be no parking at any time on the Northwest side of Bootlegger's Alley across from the end of Peconic Avenue running West (seaward) one hundred twenty (120) feet to the beachfront which shall be indicated with appropriate signage; and

2. There shall be no parking within six (6) feet of any driveway or intersection on Bootlegger's Alley; and
3. All motor vehicles or motorcycles parking along the waterfront on Bootlegger's Alley and on the Southern side of Bootlegger's Alley from the beachfront running East (landward) for four hundred fifty (450) feet to an unnamed street shall display a parking permit, which will be issued by the Town Clerk pursuant to Chapter 36 of the Code of the Town of Shelter Island.
4. Said parking permit shall be displayed on the left rear bumper of a motor vehicle and the rear mudguard of a motorcycle.
5. There shall be no double parking anywhere on Bootleggers Alley; and
6. The above restrictions shall apply at all times 24 hours a day and seven days per week.

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. 435

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

"Whereas", the Nutrition Program has received donations in the amount of $2,250.00, and

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

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

$2,250.00 increase to the 2020 A2705N Nutrition Program donations revenue account, to be funded by the donations received, and

$2,250.00 increase to the 2020 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. 436

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:
$407.00 from the A3120.200 Police Department equipment account to the A3120.273 Police Department firearms and ammunition account;
$1,000.00 from the A6772.146 Nutrition Program driver personal services account, and
$500.00 from the A6772.485 Nutrition Program van maintenance account to the A6772.400 Nutrition Program food 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. 437

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

BE IT RESOLVED, That 2020 general claims numbered 1290 through 1414 in the amount of $101,525.73, 2020 CPF claims numbered 22 through 24 in the amount of $1,358.33, 2020 highway claims numbered 154 through 164 in the amount of $14,014.88, and 2020 West Neck Water claim numbered 28 in the amount of $280.25 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 5:11 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Timothy Sheehan, 65 North Menantic Road, for permission to install a stake, mooring and pulley system in West Neck Creek at the Bay Shore Drive Town landing, at a location designated as latitude 41.05383° north and longitude 72.35715° west; said location was formerly occupied by the W-3340 Winters stake, mooring and pulley system.

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: all three of these are gonna be heard on Monday night so we can look at all of these, Sheehan, Cape Horn, Hamilton, they're all on the applications for Monday night's meeting which has been moved up by the way for just as a reminder, it's a five thirty p m meeting on Monday; I'm a little confused, why are we hearing these if the WMAC hasn't gotten it; I don't know; I guess it's because the meeting was scheduled; the meeting was scheduled for last Monday which was Labor Day and because of Labor Day, they always do that, they always put it on and instead of starting the meeting at six p m, they are moving it up because they have a double meeting, they have the CAC following at seven thirty so none of these, and I pointed that out at the beginning of the meeting; so Dot we might as well not open any of the hearings; just open and close them; open them and close, open and recess them; yes; all three; okay so we'll recess that hearing.

The Supervisor recessed the hearing at 5:12 p m and called to order the public hearing to be held as advertised 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 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 thing, right; yes the same thing.

The Supervisor recessed the hearing at 5:13 p. m. and called to order the public hearing to be held as advertised on the application of David, Danielle and Jared Hamilton, 75 North Cartwright Road, for permission to install a stake, mooring and pulley system in Coecles Harbor off Captain Bob's Landing at a location designated as 41.08912° north and 72.32290° west.

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

The Supervisor recessed the hearing at 5:14 p. m. and called to order the public hearing to be held as advertised on the proposed Dock Law.

Correspondence included the following:

1. An e-mail from Tom Field representing the Baymen/Angler suggesting several changes to the proposed law.

The Supervisor opened the hearing for all to be heard in favor of or in opposition as follows:

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 was received yesterday and haven't had a chance to go over it; there were three concerns that he had, the first concern was all residents and taxpayers have

equal access to Town bottom land even if a private dock transverses it, we agree with that and I think we've put that in there, Bob DeStefano, since you're the, with this law, isn't that in the existing law right now, didn't we agree to that; I'm not sure if it's specified, it's generally how we have proceeded; could you double check on that; I have no problem to adding that to the law; I'll be honest with you, the committee had no problem with that and I think that's a fair point that he has made, okay so if that could be added to the law, that would be great, just to spell that out carefully, the second point that he makes is winter floating docks storage, he states and this is his words, Tom Field, has been a problem for decades and it seems to get worse every year, should clearly state that floating docks must remain in their permanent configuration and location or be removed from the water, not requiring this, results in restricted access to bay bottoms around the docks, Bob it was my understanding that the main concern was the storage of these docks and it's been a concern of the CAC and the WMAC of putting them up on the shoreline where they come in contact with you know, vegetation, and destroy vegetation when the seas get rough and they bang up against the vegetation so basically, ideally we'd love them removed from the water and placed on their private property but if they can't remove them from the water, then obviously I know there are people that do tie them to the dock and that may restrict that area of the dock but I don't know; I think Tom's concern is that there are some people that will tie them from their dock and the neighbor's dock and they will kind of cut off that middle area; okay; in fact I think that's what he's trying to get out there; okay and I think that's reasonable that baymen should be allowed to you know, access those areas between the docks; yeah; I don't think the WMAC would have a problem with that; I would think you'd put it on ___ , I think we should put this one off until Tuesday as well; okay; yeah they're meeting Monday night; I will take all three of these points to the meeting; you're meeting Monday, right; yeah Monday, we have a lot on that agenda, I hope we can get it done in two hours but, it's a lot, alright we'll put it off til Tuesday and that solves that issue, he's made some valid points that we will follow up on; okay so we'll recess all the waterways hearings; I would tell you though, just as a point of order that we did seek out the shellfishermen weeks ago on this Dock Law; no I know you didn't; we didn't wait til the final, we've been working on this for literally months and seeking their input so the input came in but it came in yesterday afternoon, so better late than never; but I also recommend that you after you discuss this at the WMAC Monday night, hold for comments on Tuesday of the proposed laws; no, we're gonna do that Bob, we're gonna add it to the agenda for Monday night; okay,

The Supervisor recessed the public hearing at 5:17 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled Police Department FOIL Officer.

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

The Supervisor reported as follows: just so everybody understands, the Town Clerk is the chief FOIL Officer and the keeper of the records for the Town but because of all the changes in New York State Law with discovery with related to the Police Department, it would be just cleaner if the Police Chief was the FOIL Officer for any Police related documents cause it's gonna be a lot more involved on their end, moving forward.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: yeah I just have the one question, so this doesn't belong in Chapter one hundred; Bob, Amber's question is, does this belong in Chapter twenty or Chapter one hundred; we can put this in Chapter twenty, we're going to revamp Chapter one hundred completely; okay.

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 Local Law concerning the amendment of Chapter 126 of the Traffic Code.

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

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor closed the hearing at 5:22 p m and reconvened the public hearing to be held as advertised 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 called for a report from the Waterways Committee of the Town Board, which was as follows: that's on Monday at 5:30 which is in the August minutes as well.

The Supervisor recessed the public hearing at 5:24 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 438

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

"Whereas", a public hearing was duly held on 11th day of September, 2020, on a proposed Local Law entitled Amendment to Chapter 126 Traffic, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposed Local Law, now, Therefore

BE IT RESOLVED, That Local Law No. 4 - 2020 entitled Amendment to Chapter 126 Traffic, is hereby adopted, to wit:

SECTION 1. The following is hereby added to the Shelter Island Town Code as section 126-8.2

§ 126-8.2 Removal of vehicles parked in violation.

Any vehicle parked in violation of any provision of this Chapter or any other law, ordinance, rule or regulation may be removed or caused to be removed by or at the direction of any police officer of the Town of Shelter Island and, after such removal, stored or caused to be stored in a suitable place at the expense of the owner. The owner or person in charge of such vehicle may redeem the same upon payment to the Shelter Island Town Police Department of the amount of all outstanding fines plus the actual and necessary expenses incurred in the removal and storage of such vehicle. The Shelter Island Police Department shall ascertain, to the extent possible, the owner or person in charge of such vehicle and shall notify them of the amount which will be required to redeem the same.

SECTION 2. Section 126-11(A) is hereby amended to read as follows:

§ 126-11 Penalties for offenses.

A. A violation of § 126-8 or § 126-8.1 of this Chapter or a violation of any other law, ordinance, rule or regulation shall be deemed a traffic infraction and shall be punishable as per the fine schedule adopted and amended from time to time by the Town Board.

SECTION 3. 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. 439

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

"Whereas", a public hearing was held on the 11th day of September, 2020, on a proposed Local Law entitled Police Department Foil Officer, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposed Local Law, now, Therefore

BE IT RESOLVED, That the Town Board does hereby adopt Local Law No. 5 - 2020 entitled Police Department Foil Officer, to wit:

SECTION 1. "Whereas", the Town Clerk is the Records management officer for the Town by New York State statute; and

"Whereas", The Chief of Police is in the best position to manage and organize records relating to the police department, now, Therefore

BE IT RESOLVED, That Chapter 20 of the Shelter Island Town Code is amended in that the following is to be added:

ARTICLE II – POLICE RECORDS

§20-10 - Authority

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.

§20-11 - Effect on Statute

Provisions of this Chapter Shall This article shall supersede New York Town Law, insofar as they are inconsistent with such Chapter.

§20-12 - Severability

Should any section or provision of this chapter be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the chapter as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

§20-13 – Police Records Management

Solely for the purpose of management, storage and dissemination of police records, including response to FOIL requests, the Chief of Police shall serve as records' officer for the Shelter Island Town Police Department.

§20-14 – Police Records Retention

Records shall be maintained for a period of one year unless a longer period is proscribed by law, labor agreement, or police department policy, rules and procedures.

SECTION 2. 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.

Supervisor Siller moved and Councilman Colligan seconded, to adjourn the meeting at 5:30 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 adopted.

Dorothy S. Ogar
Town Clerk

September 15, 2020

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 15th day of September, 2020. 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 six persons were also present.

The Supervisor called the special meeting to order at 1:08 p. m.

Salute to flag.

The Supervisor reported that the Town Clerk would not be presenting the tentative 2021 Town budget to the Town Board members, as it is not completed by his office.

At 1:09 p. m., Supervisor Siller moved and Councilman Colligan seconded to recess this special meeting until 1:00 p. m. on Tuesday, September 22, 2020.

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

September 15, 2020

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 15th day of September, 2020, via Zoom and in person. 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 twelve persons were also present.

The Supervisor called the special meeting to order at 2:55 p. m.

RESOLUTION NO. 440

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

"Whereas", the Town of Shelter Island wishes to update and clarify its responsibility to legally protect its officers, employees, volunteers and other affiliated persons, it is therefore

RESOLVED, That as a "public entity" pursuant to Public Officers Law Section 18(1)(a), the Town of Shelter Island hereby expressly agrees, pursuant to Public Officer Law Section 18(1)(b), to confer the benefits of Public Officers Law Section 18 upon all "employees", as that term is defined in Public Officers Law Section 18(1)(b), including volunteers, of the Town of Shelter Island and to be held liable for costs incurred pursuant to its provisions; and

BE IT FURTHER RESOLVED, That these benefits are expressly intended to supplement any and all other existing statutory protections; and

BE IT FURTHER RESOLVED, That, pursuant to Public Officers Law Section 18, the Town Board hereby supplements and extends the existing right of Public Officers to be defended and indemnified in civil or administrative legal proceeding arising out of their public service and employment, to apply to situations where Town Board members, officers, agents or employees are requested or called upon to testify as witnesses or to answer questions concerning their acts or omissions within the scope of their office, agency or employment before a grand jury, the Office of the District Attorney or other law enforcement official. Nothing herein contained will be construed to authorize or require defense or indemnification of a Town Board member, officer, agent or employee who has been identified as a defendant in a pending criminal prosecution or where that individual, or the Town of Shelter Island, has reason to believe that the individual is a target in a criminal investigation or prosecution by the Office of the District Attorney or other law enforcement entity; and

BE IT FURTHER RESOLVED, That this amendment shall take place 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. 441

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 expend the sum of $51,728.00 from the Police Department A3120.491 contracts account to the Town of Southold, 54375 Main Road, P.O. Box 1179, Southold, New York 11971-0959 for the 2020 Police dispatch contract fee.

Roll Call Vote:	Councilwoman Brach-Williams	aye

	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. 442

Supervisor Siller 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, 2020, in the amount of $153.21, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $153.21 from the trust and agency account to general 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. 443

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

"Whereas", Shanty Bay Property, LLC ("Applicant") has applied to the Shelter Island Town Board for permission to undertake significant construction within the vegetative buffer and adjacent regulated area at 44 & 46 Tuthill Drive, Shelter Island, New York and zoned Zone AA Revert to A - Near Shore and Peninsular Overlay District, designated as Suffolk County Tax Map 0700-12-2-5 (the "Premises"); and

"Whereas", the Applicant seeks to construct a new 2888-SFLA two-story-single family house with a cantilevered deck, pool and pool patio, and an unfinished basement (except for a laundry room, boiler room, and small hallway), on this 25,646.53-square-foot parcel, (comprising two currently existing lots) representing 2,898 sq. ft. of lot coverage; and

"Whereas", the proposed construction includes the following work partially within the 75' Vegetative Buffer: The cantilevered deck will overhang the regulated area; and

"Whereas", the proposed construction includes the following additional work partially within the 100' Adjacent Regulated Area: A majority of the construction of the new house, pool and pool patio; and

"Whereas", all further work including all new construction is proposed in conforming locations for which a wetlands permit is not necessary; and

"Whereas", the proposed project is new construction; 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 permit numbered 1-4732-00787/00002 and a subsequent letter of non-jurisdiction numbered 1-4732-00787/00006 dated June 3, 2020; and

"Whereas", the SCDHS issued a permit for a conventional septic system numbered R07-11-0010 and a subsequent permit for an IA Septic System numbered R07-19-0011; and

"Whereas", the Zoning Board of Appeals initially denied an application for a variance on January 26, 2011; and

"Whereas", following the denial, the applicant commenced an Article 78 proceeding action in New York Supreme Court, under Suffolk County Index No. 2011-04955, which resulted in a Memorandum Decision, Order, and Judgment by Justice Joseph C. Pastoressa on March 21, 2019; and

"Whereas", the Zoning Board, upon remand and rehearing, granted the required variances on January 22, 2020; and

"Whereas", this Board considered the proposed action at a public hearing pursuant to notice on May 8, 2020, which was adjourned and concluded on August 21, 2020; and

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

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA and finds that the proposed construction is a Type II action that is not subject to SEQRA review but, in any event, will not result in a significant adverse impact on the environment as significant mitigation measures are to be required; and

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

This Board hereby adopts, in part, the findings of the Planning Board and Conservation Advisory Council (CAC); and

1. The Town accepts the April 6, 2017 report of Nelson Pope & Voorhis as the most recent authoritative study of the wetlands demarcation; and
2. The Town is bound to comply with the terms of the above-referenced Court Order and Judgment, which, among other things, directs the Town to approve the wetlands permit subject only to conditions customarily imposed for such permits; and;
3. The proposed project will not have a negative impact on the quantity and quality of groundwater as sufficient preventive measures are being undertaken; 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 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 to the extent that all work is conducted as depicted on the survey of Nathan Taft Corwin Dated September 13, 2001 as amended and last updated by the site plan of Matthew Sherman of Sherman Engineering and Consulting dated August 13, 2019 and as described in the Order and Judgment of Justice Joseph C. Pastoressa dated March 21, 2019; and

BE IT FURTHER RESOLVED, That this approval is subject to and contingent upon the following conditions:

1. The applicant must merge the two adjoining lots prior to the issuance of a building permit; and
2. The applicant must install a water tank with a capacity of at least 250 gallons; and
3. The Applicant must comply with all restrictions imposed by the Zoning Board of Appeals; and
4. The extension of the cantilevered deck into the regulated area is the result of a Court Order and Judgment, and compliance with the same shall be limited to the Premises and have no precedential effect; and
5. The cantilevered deck shall be so designed and constructed as to direct all runoff into drywells to be created for that purpose; and
6. There shall be a 20' non-turf buffer landward of the wetlands demarcation vegetated with plantings from the CAC approved list or approved by the CAC; and
7. There shall be no exterior construction between the hours of 5 pm and 8 am from Memorial Day through Labor Day or at any time on weekends or legal holidays; and
8. Applicant shall install drywells for the pool and to collect storm water; and
9. 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
10. Soil disturbance should be minimized where possible; and
11. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
12. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
13. No project excavation, regardless of depth, may intrude into the water table or require dewatering; and
14. Construction materials and equipment shall be staged outside the regulated area; and
15. Parking of all construction and delivery vehicles, other than delivery vehicle unloading construction materials or equipment, shall be on premises to the extent reasonably possible; and
16. No public street or public or private Right of Way may be obstructed or impaired during construction; and
17. Applicant shall, as practicable and weather and season permitting, repair, within 10 business days after written notice of such damage is received by Applicant, by certified mail, any damage to any adjacent road or street, including Tuthill Drive and Myrtle Road, caused by construction vehicles used for Applicant's construction, provided that any repairs to private

roadways shall be made only if all governing body of the private owner(s) of such roads shall consent to such repairs; and

18. Applicant shall direct its contractors that no commercial vehicles in connection with this project shall travel on the gravel portion of Tuthill Drive, and shall use Oak Road wherever practicable; and

19. 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

20. The existing septic system shall be replaced by a nitrogen reducing IAOWTS septic system; and

21. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and

22. Applicant shall install an automatic pool cover; and

23. Prior to issuance of a building permit, the applicant must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as additional insureds under a comprehensive general liability policy with minimum limits of $500,000; and

24. The Building Inspector may halt construction for a violation of any of these provisions; and

25. 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.

At 3:19 p. m., Councilman Colligan moved and Supervisor Siller 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

This motion was adopted.

Dorothy S. Ogar
Town Clerk

September 22, 2020

The recessed special meeting for budget purposes was reconvened in the Shelter Island Town Hall, Shelter Island, New York, on the 22nd day of September, 2020 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Michael J. Bebon, Albert K. Dickson and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and six persons were also present.

The Supervisor reconvened the special meeting at 2 p. m.

The Supervisor gave a presentation on his proposed budget. At 3:08 p. m., Supervisor Siller moved and Councilman Colligan seconded to recess this special meeting, to be reconvened at 2 p. m. on the 25th day of September, 2020.

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 adopted.

Dorothy S. Ogar
Town Clerk

September 25, 2020

The recessed special meeting for budget purposes was reconvened in the Shelter Island Town Hall, Shelter Island, New York, on the 25th day of September, 2020 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Michael J. Bebon, Albert K. Dickson and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and five persons were also present.

The Supervisor reconvened the special meeting at 2:07 p. m.

The Supervisor reviewed many of the proposed budget expenditures and revenues.

A tentative schedule of meetings was set up.

On motion of Supervisor Siller and seconded by Councilman Bebon, the special meeting was recessed at 2:53 p. m., to be reconvened at 9 a. m. on the 1st day of October, 2020.

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 adopted.

Dorothy S. Ogar
Town Clerk

September 25, 2020

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 25th day of September, 2020 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Michael J. Bebon, Albert K. Dickson and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and four persons were also present.

The Supervisor called the meeting to order at 2:53 p. m.

RESOLUTION NO. 444

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

"Whereas", the Town of Shelter Island has received a Complaint filed in the Supreme Court of the State of New York bearing index number 613512/2020 entitled Michael Gaynor v. Town of Shelter Island, et al.; and

"Whereas", considering the anticipated time required to defend the Town in this matter, the Town wishes to retain outside counsel; and

"Whereas", the Town has a prior relationship with the firm of Lamb and Barnosky, LLP, now, Therefore

BE IT RESOLVED, That the Town hereby retains the firm of Lamb and Barnosky, LLP, pursuant to its existing retainer agreement with the Town, to represent the Town of Shelter Island and all persons entitled to be provided a defense by the Town under Article 18 of the New York Public Officers Law and by Section 16.8 and 16.9 of the Shelter Island Town Code in the above referenced matter; and

BE IT FURTHER RESOLVED, That this retainer shall in no way prejudice the Town from seeking a defense and indemnity to which it, or any named defendant is entitled under any insurance policy.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 Councilman Colligan and seconded by Councilman Dickson, the special meeting was adjourned at 2:56 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 adopted.

Dorothy S. Ogar
Town Clerk

October 1, 2020

The recessed special meeting of the Town Board of the Town of Shelter Island for budget purposes was reconvened in the Shelter Island Town Hall, Shelter Island, New York on the 1st day of October, 2020 via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson and Michael Bebon, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and five persons were also present.

The Supervisor reconvened the special meeting at 9:19 a. m.

The Board discussed many of the proposed budgets with the attending department heads and made adjustments.

At 12:02 p. m., Councilman Colligan moved and Supervisor Siller seconded to recess this special meeting until 9:30 a. m. on Monday, October 5, 2020.

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

October 2, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 2nd day of October, 2020 via Zoom and in person. 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 4:33 p. m.

Salute to flag.

The Supervisor made the following statement:

This is the October 2, 2020 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 Mariana Koehler applying for membership on the Recreation Committee.
2. A letter from the West Neck Water District stating that the Board of Directors of the West Neck Water District has nominated Wendy Turgeon for a position on their Board of Directors.
3. An e-mail from Deborah Grayson applying for a position on the Recreation Commission.
4. An unsigned letter from Supportive But Concerned Residents concerning the Pridwin's multiple septic and/or drainage structures proposed within 100 feet of the beach as well as the body of freshwater on the property to the west.

The Supervisor presented the following financial report for the month of August, 2020:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
AUGUST 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSE.	BALANCE	CLASS
Gen Checking	7,009,147.36	143,367.22	700,167.11	6,452,347.47	809.615.44
Hwy Checking	1,879,111.30	4,366.23	96,718.99	1,786,758.54	
T&AChecking	85,601.63	33,415.83	25,886.21	93,131.25	10,513.31
T&A Savings	12,236.43	0.31		12,236.74	
Hwy Cap Resv	349,003.44	8.89		349,012.33	
WNW Supply	14,624.46	9,638.73	3,077.81	21,185.38	154,208.44
Taylor's Island	44,115.35	1.86		44,117.21	
Comm Preserv	1,306,270.22	162,816.91	36,406.44	1,432,680.69	5,902,527.02
Waterways	309,783.10	3,520.00		313,303.10	
Reserv Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,224.91
Environmental	0.00			0.00	5,677.19
FIT Ctr Reserv	20,045.25			20,045.25	
Ambul Reserv	186,459.90	1.56		186,461.46	
Ambul Train	24,476.69	0.62		24,477.31	
TOTALS	13,527,476.54	357,138.16	862,256.56	13,022,358.14	7,253,766.31

The Supervisor read a PROCLAMATION proclaiming the week of October 4 through 10, 2020, as FIRE PREVENTION WEEK in the Town of Shelter Island. A copy of this proclamation is attached to these minutes.

RESOLUTION NO. 445

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

"Whereas", James Davies, 66 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 41.08379° north and longitude 72.31035° west; said location was formerly occupied by the C-1860 Carlson 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 4:42 p. m., prevailing time, on the 23rd day of October, 2020, 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. 446

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

"Whereas", Tom Kusner, 11 Dickerson Drive, has petitioned the Town of Shelter Island for permission to relocate mooring number W-3478, also designated as WA 34 in the West Neck mooring grid to a location in Menantic Creek approximately 112' northeast of applicants' dock, 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 23rd day of October, 2020, 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 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. 447

Supervisor Siller offered the following resolutions, which were seconded by Councilman Bebon, to wit:

BE IT RESOLVED, That Peter Beardsley is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Kathleen DeRose is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That John Kerr is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Jay Card, Jr. is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Benjamin Dyett is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Meg Larsen is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Petra Schmidt is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Sean Clark is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Lily Hoffman is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Rebecca Mundy is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Wendy Turgeon is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

BE IT RESOLVED, That Jo-Ann Robotti is hereby appointed to serve as a member of the Comprehensive Plan Advisory Committee (CPAC).

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 448

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

"Whereas", Allies 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' north-west of applicant's property at a location designated at latitude 41.083768° north and longitude 72.36 14857° 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 23rd day of October, 2020, 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. 449

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

BE IT RESOLVED, That John Spinelli is hereby appointed to serve as Court Officer for the year 2020 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. 450

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 returned from Times Review Media Group in the amount of $414.00, which represents an overpayment, to the B8040.495 Comprehensive Plan advertising expense account, the reimbursement checks received from Staples in the amounts of $45.23 and $97.18 to the A4050.408 Covid maintenance account and the A1490.414 Public Works Town Hall and other buildings account, respectively.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 451

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

"Whereas", the Town of Shelter Island wishes to ensure proper compliance with the Americans with Disabilities Act, and

"Whereas", United Spinal Associates: Accessibility Services has submitted a proposal and proposed contract to conduct a complete ADA assessment for the Town, now, Therefore

BE IT RESOLVED, That the Supervisor is authorized to accept the proposal and execute the contract with United Spinal Associates: Accessibility Services for and ADA evaluation 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. 452

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

BE IT RESOLVED, That a petty cash account is hereby established for the Comprehensive Plan Committee in the amount of $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. 453

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 $6,507.00 from the Police Department A3120.491 contracts account to Lexipol LLC, 2611 Internet Blvd., Suite 100, Frisco, TX 7034 for the contract term September 1, 2020 to December 31, 2021, for the Police Department's annual law enforcement policy manual and daily training bulletins.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 454

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

"Whereas", the New York State Department of Transportation is requesting the Town of Shelter Island to execute a four year shared services agreement with NYSDOT to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island agrees to said shared services 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. 455

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

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the amount of $250.00 to Seven Guest House for five unused parking permits for the year 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 456

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

"Whereas", the Town Board has awarded the bid for the installation of air conditioning in the Legion Hall/Recreation Department, and

"Whereas", the Commissioner of Public Works has requested the issuance of a deposit to the awardee for said air conditioning equipment in the amount of $10,000.00, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $10,000.00 from the 2020 A7320.201 Youth Center new air conditioning account to Shelter Island Mechanical, P O Box 972, Shelter Island, NY 11964 for said down payment on equipment required for said 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. 457

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 $1,135.00 from the A1220.491 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, 2019 through September 30, 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 458

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 23rd day of September, 2020, for the window replacement only, (the Town is providing the windows and all other materials for this project,) and

"Whereas", the bids were publicly opened and read aloud, as follows:

Brett Poleshuk, Inc. Total bid $13,500.00, and

"Whereas", the Commissioner of Public Works and Town Board have reviewed said bid, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for said window replacement to Brett Poleshuk, Inc., the sole bidder for the amount of $13,500.00.

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. 459

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

"Whereas", Nicholas J. Savage, Shorewood Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location designated as latitude 41.051858° north and longitude 72.315239° west, and

"Whereas", a public hearing was duly held on the 21st day of August, 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 installation of a mooring in Smith's Cove at a location designated as latitude 41.051608° north and longitude 72.315375° 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. 460

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

"Whereas", Li Productions, P. O. Box 1349, East Hampton, New York 11937, has requested a filming permit for October 9, 2020, for filming at Shell Beach, and

"Whereas", the filming crew consists of 3 or 4 SUVs and 10 to 15 persons, and

"Whereas", said application has been reviewed by the Police Department and Highway Department, and

"Whereas", the Highway Department responded that there must not be any obstructions on the road or walkways during this event, and all garbage must be picked up in the area; and

"Whereas", the Police Department responded that they have reviewed the site location and does not see any issues with vehicles parking at the end of Oak Tree Lane as long as there is ample room for the public to use the cul-de-sac turn around, and the cul-de-sac remains unobstructed; all vehicles parked on the public roadway shall be parked on the shoulder of the road, in the direction of travel, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue the aforementioned filming permit upon receipt of the following fees:

Minor filming application fee $500.00

One day filming fees $1000 per day		$1,000.00
Clean up deposit		$1,000.00.
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. 461

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 4:40 p. m., prevailing time, on the 23rd day of October, 2020, in the Shelter Island Town Hall, Shelter Island, New York, for all interested 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 2021 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 2021 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 462

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

"Whereas", the Town of Shelter Island wishes to avoid any potential conflicts between sections of the Code, 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 23rd day of October, 2020, 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 section to be added to Chapter 105-Rentals:

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

SECTION 1. Add the following to Chapter 105 - Rentals, as follows:

105-56 - Order of Priority:

With regard to the rental of real property in the Town of Shelter Island, where there is an actual or apparent conflict between this Chapter and any other provision of Town Code, this Chapter shall apply.

SECTION 2: When effective

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. 463

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

"Whereas" The Town of Shelter Island wishes to regulate the number and conduct of yard sales within the Town, now, Therefore

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 23rd day of October, 2020, 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 Chapter 131 Yard Sales, to wit:

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

SECTION 1. The following Chapter shall be added to the Shelter Island Town Code:

CHAPTER 131
YARD SALES

§131-1. Title.

This chapter shall be known and may be cited as the "Yard Sale Law of the Town of Shelter Island."

§131-2. Authority.

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.

§131-3. Applicability.

This Chapter applies to all residential properties regardless of whether such use had been ongoing prior to adoption of these regulations.

§131-4. 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.

§131-5. Purpose.

Yard sales have been an integral part of the Shelter Island landscape for decades. This law is designed to protect the public health and safety of those who participate in hosting and/or attending garage sales. The intent of the law is to place some reasonable restrictions on such sales to casual and/or occasional occurrences only, in keeping with the character of the neighborhood where this activity is carried in compliance with local zoning codes.

§131-9. Definitions.

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.

§131-10 – Procedures and Restrictions of Yard/Garage Sales.

A. No yard sale may be conducted without providing written notice to the Town Clerk. The Town Clerk shall maintain copies of all such notifications.

B. No more than six (6) such sales may be conducted in any one (1) calendar year at any one property residential premises. Only three (3) of which may be between Memorial Day and Labor Day.

C. No yard sale may remain in operation for more than two (2) consecutive days.
D. No yard sale may begin before 9:00 AM or continue after 5:00 PM.
E. Adequate parking must be available on the premises or along the road so as to not hinder traffic or create an unsafe condition.
F. No items offered for sale at a yard sale may be located in the Town right-of-way or upon any public street.
G. Any items offered for sale must be removed from the yard within 2 days except for items left for trash removal, donation or to be given away, which items must be removed within seven days.
H. Any signs erected for the purpose of advertising the yard sale must be compliant with the Town of Shelter Island sign ordinance and must be removed within 3 days after the conclusion of the yard sale.
§131-20. Power of Town Board to impose restrictions.
The Town Board may by resolution create general policy or individually impose such reasonable conditions and restrictions as will prevent the obstruction of or interference with public lands or that is in furtherance of the public interest.
§131-30. 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 more than $250 or by imprisonment for not more than 15 days, or both.
B. Any violation of this chapter within seven days shall may be charged as a separate and distinct violation.
C. The Town may require the immediate termination of any yard sale conducted in violation of this chapter.
D. The Shelter Island Police Department may remove and impound any sale items not removed from the public right-of-way within 2 days of the owner or occupant of the premises receiving a written notice of violation of this chapter. After such removal, the items are to be stored or caused to be stored in a suitable place at the expense of the owner. The owner may redeem the items upon payment to the Shelter Island Town Police Department of the amount of all outstanding fines plus the actual and necessary expenses incurred in the removal and storage.
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. 464

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

"Whereas", The New York State Freedom of Information Law (Article 6 Sections 84-90) requires that the Town of Shelter Island publish rules making available for public inspection and copying specified records, and

"Whereas", the Town Board of the Town of Shelter Island elects to establish uniform rules for the rules and regulations pertaining to public access of the records of all the agencies of the Town; and

"Whereas", the New York State FOIL Law has been changed since the Town of Shelter Island implemented its current law, now, Therefore

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 23rd day of October, 2020, in the Shelter Island Town all, 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 TO REPEAL AND REPLACE CHAPTER 100 OF THE SHELTR ISLAND TOWN CODE, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:
Section 1. Chapter 100 of the Shelter Island Town Code is repealed and replaced as follows:

Chapter 100. Records, Public Access to

§100-1. Short title. This article shall be known and may be cited as the "Freedom of Information Law."
§100-2. Statutory authority

The Freedom of Information Law (Article 6 Sections 84-90) requires that the Town of Shelter Island publish rules making available for public inspection and copying specified records, and the Town Board of the Town of Shelter Island elects to establish uniform rules for the rules and regulations pertaining to public access of the records of all the agencies of the Town.

§100-2. Intent.

These regulations are intended to be coextensive with the New York Freedom of Information Law and to provide information concerning the procedures by which records may be obtained. Personnel shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by law.

§100-10. Policy.

The Town Board shall, by resolution, create a policy setting forth the specific rules, regulation and fees consistent with the New York State Freedom of Information Law applicable to the execution of this chapter.

§100-11. Hours.

Requests for public access to records shall be accepted and records produced during all hours that the designated records officer is regularly open for business.

§100-12. Location.

Records shall be available for public inspection and copying at the office of the Town Clerk (for Town records except police records) and at the Shelter Island Police Department (for police records).

§100-13. Designation of records access officer.

The Town Clerk is designated records access officer for all Town records except for police records. The Chief of Police is designated as the records officer for police records. They shall:

A. Assist the applicant in identifying the record he is seeking.

B. Search for the identifiable record.

C. Upon locating the record, take one of the following actions:

1. Review such records and delete any information which would constitute an unwarranted invasion of personal privacy, and thereafter make the record promptly available for inspection or schedule an appointment for inspection; or

2. Deny access to the record.

D. Upon request for copies of records:

1. Make copies available upon payment or offer to pay established fees; or

2. Where the agency does not have facilities for reproduction of records, permit the applicant to copy those records.

E. Upon request, certify to the correctness of the records copied.

F. If the record cannot be located, take one of the following actions:

1. Certify, in writing, that the agency is not the legal custodian for such record; or

2. Certify, in writing, that the record of which the agency is a legal custodian cannot be found.

§100-14. Fees.

The fees to be collected by the records access officer shall be set by the Town Board and shall not exceed the limits set in Section 87 of Article 6 of the New York Public Officers Law.

§100-15. Appeal.

Denial of access to records shall be in writing stating the reason therefor and advising the requester of the right to appeal to the Town Supervisor who shall be the individual authorized to determine appeals, and who shall be identified by name, title, and business address and business phone number.

§100-20. Severability.

If any provision of chapter or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of the article or the application thereof to other persons and circumstances.

Section 2. This local law shall become effective immediately upon filing with the New York 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. 465

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

"Whereas", the Pridwin Hotel, Ltd, 81 Shore Road, has petitioned the Town of Shelter Island for a wetlands permit to renovate existing hotel complex; work within wetlands regulated area includes removing existing septic on the northwest side of the property; and Health Department requirements have two new septic leaching systems and regrading on the waterside front yard of the hotel, within the 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 23rd day of October, 2020, 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. 466

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:

$2,000.00 from the A3120.111 Police Department personal services account,
$2,500.00 from the A3120.113 Police Department personal services account,
$1,940.00 from the A3120.115 Police Department personal services account, and
$1,060.00 from the A3120.117 Police Department personal services account to the A3120.121 Police Department bay constable personal services account;
$560.00 from the A3120.115 Police Department personal services account to the A3120.121 Police Department bay constable personal services account; and
$20,290.00 from the A3120.272 Police Department new car account and dispersed as follows:
$13,790.00 to the A3120.484 Police Department office and miscellaneous account, and
$6,500.00 to the A3120.491 Police Department contracts account;
$500.00 from the A5010.440 Superintendent of Highways training account to the A5010.400 Superintendent of Highways office and miscellaneous account;
$2,000.00 from the A8160.107 Landfill personal services account to the A8160.105 Landfill personal services account;
$7,020.00 from the A8160.200 Landfill miscellaneous equipment account to the A8160.434 Landfill hazardous waste carting fees account;
$8,950.00 from the A8160.433 Landfill solid waste carting account to the A8160.442 Landfill purchase of bags account;
$12,000.00 from the A8160.451 Landfill C&D hauling account to the A8160.438 Landfill processed concrete account;
$900.00 from the A8160.488 Landfill high visibility clothing account to the A8160.484 Landfill office and miscellaneous account; and
$550.00 from the DB5110.160 Highway Repair & Improvements double time personal services account to the DB5110.159 Highway Repair & Improvements over time personal services account; and

BE IT FURTHER RESOLVED, That the following 2020 budget modification is hereby approved:

$3,600.00 from the Waterways Fund balance to the A3120.121 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. 467

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

BE IT RESOLVED, That 2020 general claims numbered 1415 through 1536 in the amount of $106,931.36, 2020 highway claims numbered 165 through 184 in the amount of $11,196.30, and 2020 West Neck Water claim numbered 29 in the amount of $925.00 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 Jose Fernandez and Andrea Gabor, 17 Sylvan Road, for permission to construct a 3' by 20' ramp leading to a 3' by 30' catwalk with thru-flow decking over marsh area and install a 3' by 8' 4" stairway on seaward end in Chase Creek.

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 Waterways Committee met on September 14th of this month, last month and by a vote of six, zero approved the catwalk at the head of Chase Creek.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: the catwalk prevents walking through the wetlands themselves; right; thank you for considering our application, we have spent a fair amount of time on Shelter Island the last few months and this is just for a kayak; as Councilman Colligan just mentioned, this prevents walking across the wetlands and disturbing the grasses so that's a good thing and thank you.

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 Brian F. Carroll, 58 Tuthill Drive, for permission to install a mooring in Coecles Harbor off applicant's property at a location designated as latitude 41.073391° north and longitude 72.282528° west; said location was formerly occupied by C-1092 W. Ivers 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: same meeting, September 14th, the WMAC by a vote of five zero one, one was an abstention because he is the installer, Mike Anglin is the installer of the mooring, I had it listed as 41.07363 north and 72.28301 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 5:17 p. m. and called to order the public hearing to be held as advertised on the application of Karin A. Sanders, 12 Mimosa Place, 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 41.06263° north and 72.36736° west; said stake, mooring and pulley location was formerly occupied by the W-1122 Tarpinian stake, mooring and pulley system.

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: same meeting, the Sanders mooring permit was approved by a vote of six zero, the coordinates very similar 41.06263 north and 72.36736 west and obviously as our Town Clerk just mentioned, taking over the eleven twenty two, so it was moved just very slightly.

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 reconvened the recessed public hearing to be held as advertised on the application of Timothy Sheehan, 65 North Menantic Road, for permission to install a stake, mooring and pulley system in West Neck Creek at the Bay Shore Drive Town landing, at a location designated as latitude 41.05383° north and longitude 72.35715° west; said location was formerly occupied by the W-3340 Winters stake, mooring and pulley system.

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 Sheehan mooring, it was placed on hold, we realized that the boat is already on the mooring but the committee was unsure that it could be occupied by the person who did not live as a member of the Silver Beach Association, that since has been cleared up, so yes it is and should have been approved; is that why it had to be; because this particular is on Silver Beach property, one of the nine properties that they and Dottie informed me that this has never been a requirement and was never adopted by the Town so we stand corrected, they have no problem with it and we brought that up just as something to check into; 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 5:20 p. m. and called to order the public hearing to be held as advertised 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 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: Cape Horn, this is a boat lift application and this is a vote of seven zero, it's a non-conforming dock, it's in outside waters, it's approved with the following stipulations, there are two of them, one is a hardship letter which is standard when it comes to a __ because of the nature of the non-conforming dock and waters itself and the second one is the removal of pilings and as we stated in the meeting, note that if for some reason the lift is, ever has to be removed, is not installed, the pilings obviously can come back and be put in place, it was kind of a tradeoff so I think John or somebody on the committee was notifying the applicant of those two requirements, it is approved with that in mind as long as those two stipulations are adhered to, Dottie, I don't know, I don't think you received a hardship letter yet; no; and I don't know if we heard back from the applicant about the removal of the pilings; no; so we could approve it with those two stipulations or we could wait for the two requirements; I would rather wait for the requirements; okay; so we'll recess that meeting unless somebody has other thoughts on it; no.

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 5:21 p. m. and called to order the recessed public hearing to be held as advertised on the application of David, Danielle and Jared Hamilton, 75 North Cartwright Road, for permission to install a stake, mooring and pulley system in Coecles Harbor off Captain Bob's Landing at a location designated as 41.08912° north and 72.32290° 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: the Hamilton mooring application was approved by a vote of five zero one, that mooring is located at 41.089008 north and 72.322885 west, so that was approved by the Committee.

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 5:22 p. m. and called to order the recessed public hearing to be held as advertised on the proposed Dock Law.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Jim, any updates, yeah just that I think that, we probably didn't make it clear three weeks ago, what we did at the Town Board meeting, so I'll reiterate that, at the end of the September meeting which was held you know, on the fourteenth, there was some discrepancy from one of the, they had a meeting of the shellfishermen and those guys sat down and there were some myths, interpretations about the Dock Law in three areas, they covered those three things and in fact, James Eklund called him immediately after the meeting; Tom Field; Tom Field, and went over it point by point and Tom fine with that and you know, the Dock law is really a lot of work gone into it, I want to congratulate the seven members of the WMAC, they did a lot of work, I also would like to thank Bob DeStefano, he did a lot of work on this as well, attending all these meetings and I think we have a pretty good Dock Law and as I said to Gerry before the meeting, is it perfect, I don't know if there's any such thing as a perfect law but it's far, it's a vast improvement over what we have now and we as a Town Board, always feel that if something comes up between now and tomorrow and we can make a law better, it would take a while to amend the law, we're willing to do that, we need to work through the WMAC if anybody has any further objections to it, John Needham is the Chairman of that committee, I'd urge you to contact him but we're pretty satisfied the way law is in its present form, again always subject to improvement; any comments on this Albert; the committee did a tremendous amount of work, not just during meeting time, it's a tremendous amount of work and it really came out great.

The Supervisor declared the public hearing closed at 5:24 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 468

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

"Whereas", Jose Fernandez and Andrea Gabor, 17 Sylvan Road, have petitioned the Town of Shelter Island for permission to construct a 3' by 20' ramp leading to a 3' by 30' catwalk with thru-flow decking over marsh area and install a 3' by 8' 4" stairway on seaward end in Chase Creek, and

"Whereas", a public hearing was duly held on the 2nd day of October, 2020, 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 catwalk:

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. 469

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

"Whereas", Brian F. Carroll, 58 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor off applicant's property at a location designated as latitude 41.073391° north and longitude 72.282528° west; said location was formerly occupied by C-1092 W. Ivers mooring, and

"Whereas", a public hearing was duly held on the 2nd 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 installation of a mooring in Coecles Harbor off applicant's property at a location designated as latitude 41.07363° north and longitude 72.28301° 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. 470

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

"Whereas", Karin A. Sanders, 12 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 41.06263° north and 72.36736° west; said stake, mooring and pulley location was formerly occupied by the W-1122 Tarpinian stake, mooring and pulley system, and

"Whereas", a public hearing was duly held on the 2nd 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.

RESOLUTION NO. 471

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

"Whereas", Timothy Sheehan, 65 North Menantic Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in West Neck Creek at the Bay Shore Drive Town landing, at a location designated as latitude 41.05383° north and longitude 72.35715° west; said location was formerly occupied by the W-3340 Winters stake, mooring and pulley system, and

"Whereas", a public hearing was duly held on the 11th day of September, 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. 472

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

"Whereas", David, Danielle and Jared Hamilton, 75 North Cartwright Road, have petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor off Captain Bob's Landing at a location designated as 41.08912° north and 72.32290° west, and

"Whereas", a public hearing was duly held on the 11th day of September, 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 and directed to issue a permit for the installation of a stake, mooring and pulley system in Coecles Harbor off Captain Bob's landing at a location designated as latitude 41.089008° north and longitude 72.322885° 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. 473

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

"Whereas", a public hearing was duly held on the 11th day of September, 2020, and continued on the 2nd day of October, 2020, on a proposed Dock Law, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 7 - 2020 entitled Chapter 53, Docks, is hereby adopted, to wit:

Chapter 53. Docks

Article I. General Provisions

§ 53-1. Title.

This chapter shall be known as the "Town of Shelter Island Dock Local Law."

§ 53-2. Applicability.

This chapter shall regulate the use of Town-owned docks, piers, wharves and bulkheads; the size and placement of commercial and private docks; the size and placement of other water control structures; and the removal of materials from lands under water. The Town Board of the Town of Shelter Island deems it in the public interest to regulate the use, size and placement of docks and other structures in order to optimize the use of Town-owned underwater lands by the general public for recreational and shellfishing purposes while at the same time recognizing the riparian rights of upland owners.

§ 53-3. Statutory authority.

This chapter is adopted as a local law pursuant to the authority of the Municipal Home Rule Law and the New York State Constitution.

§ 53-4. Enforcement.

The Dock Inspector, shall be a member of the building department of the Town of Shelter Island, and is hereby authorized and directed to enforce the provisions of this chapter.

§ 53-5. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOAT OR VESSEL Any floating object capable of being used as a means of transportation in water and including any airplane capable of landing on water.

BOATYARD A commercial facility for maintenance, construction and/or repair of any type of watercraft with or without provision of supplies, storage, fueling or the retail sale of boats, motors and marine equipment.

CHANNEL Water areas specifically reserved for unobstructed movement of vessels which may be marked by navigational aids permitted by the United States Coast Guard and/or the State of New York and/or the Town of Shelter Island.

COMMERCIAL DOCK A dock utilized for commercial purposes. Under this chapter, such dock shall be located in "B" Zone or be part of an existing commercial boatyard/marina.
COMMERCIAL VESSEL A boat or vessel from which the owner obtains a significant portion of his income and/or which is registered as a commercial/passenger vessel either with New York State or the United States Coast Guard.
DOCK Any structure whether floating and/or fixed designed to accommodate a boat, such structure being attached at least on one end to the upland and elsewhere to the underwater lands below the mean high-water mark, and including accessories to said structure, such as floats, dolphins, pilings, anchors and anchor lines, ramps, ladders, lifts and hoists. A permit for a dock shall run with ownership of the land.
DOCK INSPECTOR The duly appointed Building Inspector of the Town of Shelter Island.
FORESHORE The passageway around the perimeter of Shelter Island between the mean high- and mean low-water marks.
OWNER(S) The person(s) or entity(ies) in whose name the upland to which the dock is connected is/are recorded in the office of the Suffolk County Clerk.
PERMITTEE The owner to whom a dock permit has been issued.
PLEASURE VESSEL All boats or vessels other than government, commercial and institutional.
PRIVATE DOCK A dock utilized by the owner or occupant for pleasure vessels and/or recreational purposes.
RESIDENT Includes all domiciliaries who have actually and consistently resided within the Town of Shelter Island for a period of not less than six months immediately preceding their application for a permit hereunder and/or owners of real property situate in the Town of Shelter Island.
RIPARIAN RIGHTS The entitlement of the owner of upland property fronting on a body of water to reasonable access to and use of such water.
SHORELINE The interface of waterway and upland, at specified location and tidal condition.
TOWN DOCK A dock or pier owned or managed by the Town.
TOWN WATERS All waters and land below the mean high-water mark over which the Town of Shelter Island has jurisdiction.
WATER FRONTAGE The line along the mean high-water mark which defines the interface between a lot and the waterway.
WATER CONTROL STRUCTURE: is a structure including but not limited to, bulkheads, groins or jetties intended to manage the impact of water upon the adjacent land.

Article II. Town-Owned Docks, Piers and Wharves

§ 53-6. Legislative findings.

It is hereby determined that the existing docks, piers and wharves of the Town of Shelter Island located at Congdon's Creek at the easterly terminus of Congdon Road and at Dering Harbor at the easterly terminus of Bridge Street in the Town of Shelter Island are hereby established as self-supporting improvements, pursuant to § 141 of the Town Law of the State of New York.

§ 53-7. Permit required.

No person shall moor or secure a boat at the docks, piers and wharves located either at Congdon's Creek or at Dering Harbor without first obtaining a permit from the Town Clerk, except as hereinafter provided. Said permits shall include a sticker, which must be displayed on the authorized boat adjacent to the displayed registration number.

A. Congdon's Creek dock, pier and wharves.

1. A dock permit may be issued for any type of boat with a minimum length of 12 feet.
2. Any such permit shall be valid for a term ending March 31 of each year. During the transition to this annual renewal date, permits shall be issued for varying periods all to terminate March 31, 2012.
3. No slip shall hold more than one boat which shall be no longer than 35 feet length overall. The beam of the boat shall be less than the distance between the standoff piles for the slip for which the permit is issued.
4. Each applicant for a permit or permit renewal for a slip shall provide the Town Clerk with the applicant's name, proof of residency, proof of his ownership of boat, description of boat, number and name of boat and proof of proper registration. A current photo of the boat must be submitted with the initial permit application. Any permittee must own the same boat at the time the permit is issued within 60 days thereafter.
5. Initial and renewal permits may be obtained directly from the Town Clerk upon submission of proof satisfactory to the Town Clerk that said permittee is a resident of the Town of Shelter Island and owns the same boat as described on the permit. If such permittee wants to berth a different boat, he must provide the Town Clerk with proof of his ownership of such boat, a description of the boat, its name and registration number and proof of proper registration of boat.

Slips not renewed by April 1, 2012, and every year thereafter, including mail renewals postmarked after April 1, shall be assigned by the Town Clerk to the next applicant on the wait list.

6. The Town Board from time to time may establish, on its own motion, the fees for docking and mooring of boats and for the wait list.

7. No person shall moor or secure a boat at the end of the dock more than two consecutive hours, nor shall any boat so secured or moored exceed 30 feet in length. A dock permit shall not be required in this event.

8. In the event that there are more applications than available spaces, a wait list will be established to determine the awarding of permits. A person must meet residency requirements to be placed on the wait list and supply their name and contact information. A person on the waiting list who qualifies for a sublet may remain on the waiting list for a slip assignment.

9. A permittee who is unable to have his/her boat in slip from July 1 through September 30 (high season) must notify the Town Clerk by June 1. The Town Clerk will offer the slip for a high season sublet to the next interested applicant on the wait list. If the applicant accepts, all the information for a new permit application must be submitted, and the permit fee paid to the Town Clerk for that high season period, and the Town Clerk will issue a permit for occupancy during that high season. The original permittee may only do a high season sublet twice during his slip tenancy.

10. Off-season sublet: October 1 through June 30. A permittee may allow another person to use his slip from October 1 through June 30 provided he notifies the Town Clerk, and the sublessee submits all the information for a new permit application and pays the permit fee to the Town Clerk for that off-season period, and the Town Clerk will issue a permit for occupancy during that off-season.

11. If permittee dies, the permit for that slip may be transferred only to a surviving spouse, providing they meet all requirements of this chapter.

12. All permittees, including sublessees, shall comply with the provisions of this chapter. Upon a second violation of this chapter, the permit may be revoked after a noticed hearing before the Waterways Committee.

B. Dering Harbor dock, pier and wharves.

1. A dock permit may be issued for the west side of the dock for a period of nine months, extending from September 15 through the following June 15. The use of the west side of the dock shall be limited to resident commercial vessels.

2. Applications for a permit for resident commercial vessels shall be made no later than September 16 of each year. In the event that there are more applications than available spaces, a lottery will be held to determine the awarding of permits. If there are more spaces than applications, the Town Board reserves the right to continue to accept additional applications for spaces remaining. Otherwise, the use of the west side of the dock shall be in accordance with Subsection B(5) herein.

3. Each applicant shall provide the Town Clerk with his name, Shelter Island address, proof of his ownership of boat, description of boat, number and name of boat and proof of proper registration.

4. During the period from June 15 to September 15 of each year, no person shall moor or secure a boat for more than two consecutive hours. A dock permit shall not be required in this event.

5. During the period from September 16 to June 14 of each year, a boat may be moored or secured for no more than 10 consecutive days on one occasion during such period, provided that the Town Clerk has been notified, in writing, of the same.

6. The Town Board from time to time may establish, on its own motion, the fees for docking or mooring of boats.

§ 53-8. Additional regulations.

A. No person shall live or reside on a boat docked, secured or moored at any Town-owned dock, pier, wharf, bulkhead or similar facility within the Town.

B. No person shall moor or secure a boat for more than two consecutive hours at the Town-owned bulkhead at Grace's Lane in Dickerson Creek, except that during designated scallop season, a resident with a shellfish permit issued by the Town of Shelter Island may use the floating dock or bulkhead for purposes relating to the taking of scallops only; provided, however, that any such boat shall not exceed 25 feet in length and must be moored or secured parallel to the floating dock or bulkhead.

C. No person shall moor or secure a boat on the end or east face of the Town-owned dock at Daniel Lord Road. The west face along the launching ramp is for active launching, hauling, loading, and unloading of boats only and has a ten-minute docking limit.

D. Acceptance of a permit under this chapter shall constitute an agreement that the permit holder will hold the Town of Shelter Island and its authorized representatives completely blameless for any liability in connection with the mooring or securing of his boat, nor is the Town responsible for loss, damage or theft of boats and/or other contents or to any other private property.
E. The Town Board reserves the right to enact additional rules and regulations with respect to mooring or securing boats at docks, piers, wharves, bulkheads or similar facilities owned by the Town of Shelter Island. Any permit hereafter issued shall be issued subject to the permittee conforming to any rules and regulations now in force and effect or that thereafter may be adopted by resolution of the Town Board.

Article III. Commercial and Private Docks

§ 53-9. Permit application.

A. A permit shall be required for the construction, alteration or modification of a dock. A permit shall not be required for the repair of a dock, except in any of the following circumstances:
1. When the total cost for such repair of an existing dock exceeds $10,000.
2. When the repair is other than in kind and in place.
3. When no previous permit has been issued for the construction of a dock.
4. When less than 30% of the original structure remains in a structurally sound condition.
5. Extension of utilities (including water, electric, cable and telephone) to a dock requires a building permit issued by the Town Building Department.

B. Applications for permits may be made by the owner or the agent of that owner utilizing standard forms available from the office of the Town Clerk.
C. Each application for a new dock shall be accompanied by the following:
1. A certified survey of the owner's property on which the proposed dock is to be located, indicating the zoning district and showing property lines, exact location of the proposed dock and other structures, any unusual natural features on the property and adjacent waters and depths to the nearest foot at ten-foot intervals to the end of the dock, measured at mean low water.
2. An accurately dimensioned scale drawing of the proposed dock in plan and elevation format showing the structural design details of the dock, including the location and type of services and utilities (including water, electric, cable and telephone).
3. Specifications for the construction materials to be used.
4. Any copies of applications and permits related to other agencies as may be required.
5. A statement signed by the owner that the materials and design of the dock will meet all pertinent federal, state, county and Town regulations.
6. A statement signed by the owner that acceptance of a permit shall constitute an agreement that the permittee:
a) Will indemnify and hold the Town of Shelter Island and its authorized representatives harmless from any liability in connection with any property damage or bodily injury that may occur as a result of the issuance of a permit hereunder, nor is the Town responsible for the loss, damage or theft to boats and/or their contents; and
b) Consents to the entry on the property by the Dock Inspector or other authorized representative of the Town in order to make such inspections as the Town may deem necessary to ensure compliance with the terms and conditions of the permit.
7. The following proof of insurance in force:
a) From the owner, a certificate of insurance for at least $300,000 liability on the location and operations covered by said permit; and
b) From the contractor performing the operations covered by said permit, an owner's/contractor's policy issued in favor of the Town of Shelter Island for the liability limits of at least $500,000 covering operations of the contractor pursuant to said permit.
8. The requisite fee to be determined by the Town Board.
9. Any other information which the Town Board may deem necessary.

D. In addition to the above, it shall be a prerequisite for a complete application that the offshore location for the proposed dock be clearly delineated by a minimum of four stakes and that additional stakes be placed at the property boundaries nearest the dock. The location of these stakes should correspond exactly to the configuration of the proposed dock on the scale drawing accompanying the permit application.

§ 53-9.1. Permit issuance and terms.

A. All applications for permits shall be subject to a public hearing, except that applications to repair, replace or reconstruct any devices or structures included in this article shall be granted or denied by the Town Board without a public hearing. In making its determination, the Town Board shall consider the recommendations of the Waterways Committee of the Town Board.
B. The validity of any permit issued shall be conditioned on the issuance of permits from other governmental or municipal authorities as may be required.

C. A permit will expire 12 months from the date of issuance. A permit may be extended by resolution of the Town Board for an additional period of one year without a public hearing, provided that the request for same is submitted no later than the expiration date.
D. Acceptance of a permit shall constitute an agreement that it shall be the owner's responsibility to endure proper usage of the structure at all times, to maintain the structure in conformance with these regulations and in the interests of public safety and protection of the waterways and not to obstruct any rights of the public as may exist to use the underwater lands.
E. Acceptance of a permit shall also constitute an agreement that the owner shall hold the Town of Shelter Island and its authorized representatives completely blameless for any liability in connection with property or bodily damage that may arise from the issuance of this permit.
F. No dock construction may be commenced under the permit until the Building Department is notified by the dock contractor of the date construction will commence.
G. No certificate of compliance certifying satisfactory completion of a new dock, or other dock improvement designated by the Town Board, shall be issued until a survey showing the as-built location is submitted to the Building Department.
H. In addition to any other rights conferred, a permit shall convey a non-exclusive right to use public bottom land owned by the Town of Shelter Island upon which any legally permitted dock is located.

§ 53-9.2. Limitations on Fresh Water Docks

A. No fixed dock, float or ramp, platform or other structure shall be constructed upon any body of fresh water owned by the Town of Shelter Island and no permit shall be issued for any such construction.
B. Pre-existing non-permitted and non-conforming structures existing as of June 30, 2020 are exempt from the standards set forth in Section 53-9.2(A) of this chapter subject to the following:
1. They may be repaired or replaced in kind and in place; or
2. They may be altered, modified, or repaired where after review, is determined by the Town Board that any changes significantly lessen the preexisting nonconformity; or
3. Any structure, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall be permitted to remain so long as the repairs are in kind or in place or are determined by the Town Board to significantly lessen the preexisting nonconformity.

§ 53-10. Fees.

A. Permit fees for the construction, alteration, modification or repair of a dock shall be established by resolution of the Town Board.
B. Permit fees for work on commercial docks shall not be more than twice that charged for private dock permit fees.

§ 53-11. Design and construction of private and commercial docks.

A. A dock shall not be an impediment nor a menace to navigation and shall at all times provide and allow suitable and unobstructed passageway around or over such dock so that the public will have free unobstructed passage along the foreshore of Shelter Island.
B. The location of a dock shall cross the water frontage of a lot with the same setback requirements from the extremes of that water frontage as apply for the principal dwelling on that lot, but in no case less than 25 feet. The dock shall extend seaward in a direction and configuration that does not intrude on neighboring lots' equivalent rights to current or future dock location.
C. Length and depth of docks.
1. At mean low-water, a private dock may not extend into the waterway farther than the equivalent of 15% of the shortest distance at mean low-water from the shoreline where the dock is located to the opposite shoreline.
2. A private dock may not extend either more than 100 feet offshore from the mean high-water mark on the owner's upland property or beyond the point where mean low-water depth reaches four feet, whichever of these two conditions occurs sooner.
3. A private dock may not extend in total linear measure of all walkways, ramps, floats and distance to tie-off pilings more than one and one half times the specified maximum off-shore distance of the dock.
4. A commercial dock may not extend either more than 300 feet offshore from the mean high-water mark of the owner's upland property or beyond the point where the mean low-water depth reaches six feet, whichever of these two alternative conditions occurs sooner.
D. Width of docks.
1. A private dock, exclusive of floats, but including walkways and ramps, shall be no wider than five feet; the deck area of floats shall be no greater than 200 square feet.
2. A commercial dock, exclusive of floats, but including walkways and ramps, shall be no wider than 10 feet; floats shall be no wider than 12 feet.

E. Any waterway's illumination, whether dock-mounted or shore-mounted, shall be focused downward and shall not directly light an area more than 10 feet beyond the foreshore or the footprint of the dock. Any illumination presently in existence shall be in compliance with this subsection no later than six months after the adoption of this chapter.

F. Private dock installations to store or convey fuel or sewage shall not be permitted.

§ 53-12. Existing docks.

The following are exempt from the standards set forth in Section 53-11 of this Chapter:

A. Any dock in existence prior to the adoption of this chapter that is maintained in kind and in place; or

B. Any alteration, modification, or repair to a preexisting nonconforming dock which, after review, is determined by the Town Board to significantly lessen the preexisting nonconformity; or

C. Any repairs of a dock, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall remain so long as the repairs are in kind or in place or are determined by the Town Board to significantly lessen the preexisting nonconformity.

§ 53-13. Responsibilities.

A. Acceptance of a permit shall constitute an agreement that it shall be the owner's responsibility to ensure proper usage of the dock at all times, to maintain the dock and all appurtenances and equipment in conformance with these regulations and in the interests of public safety and protection of the waterways and to not obstruct the right of the public to pass along the foreshore between the mean high- and low-water marks.

B. Acceptance of a permit shall also constitute an agreement that the owner will hold the Town of Shelter Island and its authorized representatives completely blameless for any liability in connection with property or bodily damage that may arise from the issuance of this permit.

C. Should the Dock Inspector determine that a dock has become a threat to life or property or a menace to navigation, he shall immediately notify the Town Board. Upon receipt of such notice, the Town Board shall direct the Dock Inspector to notify the owner of his findings regarding the condition of the dock by certified and regular mail and by posting such notification upon the owner's property of his findings regarding the condition of the dock. In the event that the owner does not remove or repair the dock within the time required by the Dock Inspector, the owner shall be notified by certified and regular mail that the Town will make any necessary repairs to render the dock safe at the owner's expense. Should the dock require removal, the owner shall be notified by certified and regular mail of the Town's intention to make an application to the Supreme Court, Suffolk County, for an order determining the dock to be a threat to life or property or a menace to navigation and directing that it be removed by the Town with all expenses incurred in this proceeding and the removal to be borne by the owner.

§ 53-14. Regulations regarding living or residing on boats at docks.

A. No person shall live or reside for more than one week on a boat berthed at a private dock.

B. Any person who shall live or reside for more than forty eight (48) hours on a boat with a head (bathroom) at a private dock must maintain a written log indicating a pump out at least once per week and have such log as well as written documentation (such as a receipt from the pump out facility) available for inspection by the dock inspector or bay constable upon request.

C. No person shall live or reside on a boat at a commercial dock for any length of time without the expressed permission of the dock or marina owner and comply with all marina's policies regarding pump-outs and discharge, and all relevant laws and regulations.

D. Any vessel equipped with a head docked within the waters of the TOSI shall maintain their Y valve in a closed and secured position and make the equipment available for inspection by the Dock Inspector or Bay Constable.

§ 53-14.1. Storing and Securing Seasonal Floating Docks

A. Any floating docks and ramps may not rest on or be stored in any vegetated tidal wetland.

B. Floats that remain in the water when not in use must be properly secured and remain in the area designated in § 53-11 (A) & B) and not otherwise violate any provision of this Chapter.

§ 53-15. Waivers.

The Town Board shall have the authority to modify or waive, subject to any appropriate conditions, any provision(s) of this Chapter as in its judgment is not requisite to the interests of the public health, safety and general welfare, except where such waiver would be contrary to other ordinances or state law. A request for such waiver may be initiated by written request to the Town Board accompanied by documentation that fully explains and supports the reasons for the request. Additional information may be sought from the applicant at the discretion of the Town Board.

Article IV. Other Water Control Structures

§ 53-16. Permit required.

No person shall construct, repair, replace or reconstruct or place any bulkhead, pile, float, building, pier, wharf, jetty, groin, dolphin, dike, dam or other water control device or other structure, any part of which is embedded in or attached to land above or below water, in or on any Town waters, Town lands under water, foreshore or state or county lands under water within the geographical limits of the Town, nor shall any person remove or move any sand, gravel or other material from such lands in the Town of Shelter Island without first obtaining a permit from the Shelter Island Town Board. The provisions of this section do not apply to the installation, repair or replacement of moorings or stake, mooring and pulley systems, the regulations for which appear in Chapter 90 of this Town Code.

§ 53-17. Additional permit provisions.

A. Any water control structure in existence prior to the adoption of the chapter that is maintained in kind and in place; or

B. Any alteration, modification, or repair to a preexisting nonconforming water control structure which, after review, is determined by the Town Board to lessen the preexisting nonconformity; or

C. Any repairs of a water control structure, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall remain so long as the repairs are in kind or in place or are determined by the Town Board to lessen the preexisting nonconformity.

§ 53-17.1. Limitations on Water Control Devices on Fresh Water Bodies

A. No water control structure shall be constructed upon any body of fresh water owned by the Town of Shelter Island and no permit shall be issued for any such construction.

B. Pre-existing non-permitted and non-conforming structures existing as of June 30, 2020 are exempt from the standards set forth in Section 53-17.1(A) of this Chapter subject to the following:

1. They may be repaired or replaced in kind and in place; or

2. They may be altered, modified, or repaired where after review, is determined by the Town Board that any changes significantly lessen the preexisting nonconformity; or

3. Any structure, deteriorating, damaged, or destroyed by any cause, including an act of God where 30% or more of the original structure is usable and shall be permitted to remain so long as the repairs are in kind or in place or are determined by the Town Board to significantly lessen the preexisting nonconformity.

Article V. Additional Provisions

§ 53-18. Coordination with wetlands provisions.

A. In addition to the requirement of this chapter, any dock or other water-control structure requiring construction, dredging, filling or alteration in, on or over a wetland or within a regulated area as defined in Chapter 129 shall apply for a permit under Chapter 129.

B. In the event of a conflict between any provision of Chapter 53 (Docks) and Chapter 129 (Wetlands), the provisions of Chapter 129 shall apply.

§ 53-19. Power of Town Board to impose restrictions.

In issuing a permit under this chapter, the Town Board may impose such reasonable conditions and restrictions as will prevent the obstruction or interference with navigation, the public use of Town waters or lands under Town waters or shall be in furtherance of the public interest.

§ 53-20. 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 more than $250 or by imprisonment for not more than 15 days, or both.

B. A second offense against the provisions of this Chapter within 1 year after a prior offense shall constitute a violation under the Penal Law and shall be punishable by a fine of not more than $500 or by imprisonment for not more than 15 days, or both.

C. A third or subsequent offense against the provisions of this Chapter within one year of the initial offense shall constitute a misdemeanor under the Penal Law and shall be punishable by a fine of not more than $1000 or by imprisonment for not more than 15 days, or both.

D. 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.

E. The Town may require removal of any dock or other structure constructed in violation of this Chapter.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 Colligan, the meeting was adjourned at 5:30 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

October 5, 2020

The recessed special meeting of the Town Board of the Town of Shelter Island for budget purposes was reconvened in the Shelter Island Town Hall, Shelter Island, New York on the 5th day of October, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson and Michael Bebon, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and four persons were also present.

The Supervisor reconvened the special meeting at 9:32 a. m.

The Town Board reviewed most of the proposed budgets.

At 11:16 a. m., Supervisor Siller moved and Councilman Colligan seconded to recess this special meeting until 9:30 a. m. on Thursday, October 8, 2020.

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

October 8, 2020

The recessed special meeting of the Town Board of the Town of Shelter Island for budget purposes was reconvened in the Shelter Island Town Hall, Shelter Island, New York on the 8th day of October, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson and Michael Bebon, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and nine persons were also present.

The Supervisor reconvened the special meeting at 9:41 a. m.

The Board discussed proposed budgets with the Building Department, Police Department, Media Department and Public Works Department.

At 11:59 a. m., Councilman Bebon moved and Supervisor Siller seconded to recess this special meeting until Tuesday, 9:30 a. m on October 13, 2020.

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

October 13, 2020

The recessed special meeting of the Town Board of the Town of Shelter Island for budget purposes was reconvened in the Shelter Island Town Hall, Shelter Island, New York on the 13th day of October, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson and Michael Bebon, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and approximately seven persons were also present.

The Supervisor reconvened the special meeting for budget purposes at 9:40 a. m.

The Board discussed proposed budgets with the Police Chief, Highway Department, and several others.

At 12:00 noon, Councilman Bebon exited the meeting.

At 12:14 p. m., Councilman Dickson moved and Supervisor Siller seconded to recess this special meeting until Monday, at 9:00 a. m on October 19, 2020.

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

This motion was carried.

Dorothy S. Ogar
Town Clerk

October 20, 2020

The special meeting for budget purposes was reconvened in the Shelter Island Town Hall, Shelter Island, New York on the 20th day of October, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James J. Colligan, Albert K. Dickson and Michael J. Bebon, and Councilwoman Amber Brach-Williams. Town Clerk Dorothy S. Ogar and four persons were also present.

The Supervisor reconvened the special meeting at 9:08 a. m.

The Town Board discussed and adjusted several items to be considered for the 2021 budget.

RESOLUTION NO. 474

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

"Whereas", a tentative budget for the fiscal year 2021 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 2021, 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 4th day of November, 2020 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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 11:29 a. m., Councilman Colligan moved and Councilwoman Brach-Williams 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 carried.

Dorothy S. Ogar
Town Clerk

October 23, 2020

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 23rd day of October, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan and Albert Dickson, and Councilwoman Amber Brach-Williams. Councilman Michael J. Bebon was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and approximately nineteen persons were also present via zoom and in person.

The Supervisor called the meeting to order at 4:33 p. m.

Salute to flag.

The Supervisor made the following statement:

This is the October 23, 2020 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 PROCLAMATION concerning Friends of Libraries Week. (A copy of this proclamation is attached to these minutes.)

RESOLUTION NO. 475

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

"Whereas", Marina Hahn, 70 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as 41.073735° north and 72.28111° 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 13th day of November, 2020, 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 Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 476

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

"Whereas", Nicholas Argyrou, 16 Great Circle Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.08574° north and longitude 72.31213° west; said location was formerly occupied by the C-3472 Clark 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 4:42 p. m., prevailing time, on the 13th day of November, 2020, 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 Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 477

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

"Whereas", Maria and Vincent Testa, 8 Grace's Lane, have petitioned the Town of Shelter Island for permission to remove 755' of existing bulkhead and construct 755' of new bulkhead, in-kind, in-place, now, Therefore

BE IT RESOLVED, That the pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:46 p. m., prevailing time, on the 13th day of November, 2020, 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 Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 478

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

"Whereas", Eric Hecker, 4 Tuthill Drive, has petitioned the Town of Shelter Island for permission to relocate the Pufahl mooring number C-802 in Coecles Harbor to a position 120' southwest off applicant's dock at a location designated as latitude 41.075863° north and longitude 72.294085° west in Coecles Harbor, 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 13th day of November, 2020, 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 Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 479

Councilman Colligan offered the following resolution, which was seconded by Councilman Dickson, 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 applicants, now, Therefore

BE IT RESOLVED, That Wendy Turgeon is hereby appointed to serve as a member of the West Neck Water District Board of Directors for a term to expire April 25, 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. 480

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

BE IT RESOLVED, That Sara Mundy is hereby appointed to serve as full time Senior Citizens Center Manager for 30 hours per week for the year 2020, effective retroactive to October 19, 2020.

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. 481

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

BE IT RESOLVED, That Carl Cosby is hereby appointed to serve as full time Senior Cook for the Nutrition Program for the year 2020 effective retroactive to October 19, 2020.

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.

Councilman Bebon joined the meeting via telephone/Zoom at 4:44 p. m.

RESOLUTION NO. 482

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

"Whereas", a vacancy exists on the Deer & Tick Committee, and

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

BE IT RESOLVED, That Julia Weisenberg is hereby appointed to serve as a member of the Deer & Tick Committee for a term to expire on June 24, 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. 483

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

"Whereas", the Town Board has directed that the comprehensive plan for the Town of Shelter Island be updated; and

"Whereas", the Town desires to have citizens of different perspectives provide insight and guidance to the Town and its consultant regarding the development of the comprehensive plan; now, Therefore

BE IT RESOLVED, that the Comprehensive Plan Advisory Committee is hereby established; and

BE IT FURTHER RESOLVED, that this committee shall consist of 12 individuals who must be residents of the Town of Shelter Island to be appointed to serve at the pleasure of the Town Board for a term to continue until the comprehensive plan is adopted, but not to exceed two years, and

BE IT FURTHER RESOLVED, that this committee shall be governed by the "Board and Committees Rules and Procedures" adopted by the Town Board; and

BE IT FURTHER RESOLVED, that any vacancy created by the resignation, termination or other departure of any member of this committee may be filled by this Board by resolution; and

BE IT FURTHER RESOLVED, that this committee shall be dissolved as a matter of law without further action of the Board upon adoption of the comprehensive plan or sooner, upon resolution of this 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. 484

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 credit the check returned from Buzz Chew Chevrolet Oldsmobile Cadillac in the amount of $665.15, which represents an overpayment, to the DA5130.446 Highway Machinery contractual expense account, and the cashier's check from US Bank in the amount of $1,084.88 to the A2701 Refunds from Prior Years revenue 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. 485

Councilman Colligan 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 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, 2020 through September 23, 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. 486

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

"Whereas", filming permit number 82 was issued on October 5, 2020 to Li Productions for filming at Shell Beach on October 9, 2020, 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 Li Productions, P. O. Box 1349, 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. 487

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 expend the sum of $610.39 from the A1220.491 Supervisor's contracts account to Carr Business Systems, P. O. Box 936715, Atlanta, Georgia 31193-6715 for the annual maintenance of the copy machine in the Supervisor's office for the period October 14, 2020 through October 13, 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. 488

Councilman Colligan 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 $1,650.00 to the Postmaster from the 2020 A1330.414 Receiver of Taxes postage account for the purchase of stamps.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 489

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 expend the sum of $2,720.00 from the 2020 A1330.476 Receiver of Taxes software account to Business Automation Services, Inc., 661 Plank Road, Clifton Park, NY 12065 for the annual software support/maintenance fees for the period December 1, 2020 through November 30, 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. 490

Supervisor Siller 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 fuel oil for the Medical Building, Highway Department building and the Legion Hall 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. 491

Councilman Colligan 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 propane for the Town of Shelter Island for the calendar year 2021 for the Police Department, Town Hall Complex, Hall of Justice and ambulance building.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 492

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 an agreement between the Town of Shelter Island and Dodson & Flinker, Inc., Landscape Architects and Planners, 40 Main Street, Suite 101, Florence, MA 01062 for the provision of environmental planning to tailor the document to be created to update the Comprehensive Plan to local needs for the Town of Shelter Island.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 493

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 a State of New York Master Contract for Grants for the Fresh Pond Feasibility Study for the contract term May 1, 2019 through April 30, 2022, in the amount of $30,000.00.

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. 494

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

"Whereas", the Shelter Island Fire District has requested permission to install a 12,000 gallon water tank in the circle at Shelterlands Path, and

"Whereas", the storage of water will be utilized by the Fire District for firefighting purposes, now, Therefore

BE IT RESOLVED, That said request is hereby approved, subject to the approval by the Superintendent of Highways.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 495

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

"Whereas", Peter and Michael Mankins, 26 Margaret's Drive, have petitioned the Town of Shelter Island for a wetlands permit to demolish and replace existing sunroom and indoor pool/jacuzzi, and construct within same footprint a 15.7' by 20.8' enclosed porch, remove wood tie walls, and remove/relocate HVAC unit, construct 11.8' by 24.2' covered wood beam trellis over existing deck adjacent to proposed porch, demolish and remove existing 7.9' by 11.8' enclosed front porch and associated landings/steps/retaining walls, and construct a new 9' by 26.3' uncovered masonry porch, and remove and replace approximately 1,225 square feet of existing driveway with approximately 919 square feet of stone paver patio and new retaining walls and steps (located nearly entirely outside but adjacent to 100 foot 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 4:44 p. m., prevailing time, on the 13th day of November, 2020, 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. 496

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

"Whereas", the Town of Shelter Island is a member of the Suffolk County Community Development Consortium, and

"Whereas", the Town of Shelter Island expects to receive approximately $13,570.00 in Federal Community Development Block Grant funds in 2021, now, Therefore

BE IT RESOLVED, That a public hearing will be held on the 13th day of November, 2020, at 4:48 p. m., prevailing time, in the Shelter Island Town Hall, Shelter Island, New York, for all interested residents to express citizen views on local needs to be met with these funds.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 497

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

BE IT RESOLVED, That the following 2020 budget transfers are hereby approved:
$445.62 from the A3510.484 Animal Control Officer office and miscellaneous account to the A3510.495 Animal Control Officer printing and advertising account; and

BE IT FURTHER RESOLVED, That the following 2020 budget modification is hereby approved:
$2,000.00 from the Waterways Fund 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. 498

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

BE IT RESOLVED, That 2020 general claims numbered 1537 through 1684 in the amount of $159,818.44, 2020 highway claims numbered 185 through 199 in the amount of $13,247.69, and 2020 West Neck Water claims numbered 30 through 33 in the amount of $4,132.67 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 4:55 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed Local Law re: Override of Tax Levy.

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 the formality we have to go through if we pierce the tax cap and our increase this year is gonna be three point six percent, any comments and questions. There being no comments, the Supervisor declared the public hearing closed at 4:57 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 permission to install a mooring in Coecles Harbor at a location designated as latitude 41.08379° north and longitude 72.31035° west; said location was formerly occupied by the C-1860 Carlson 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: I'll comment on all these mooring applications, this was a meeting that was held on October 4th at six o'clock by the WMAC, they met and by a vote of seven zero, this is a takeover mooring of the C-1860 mooring at the 41.08379 north and 72.31035 west and it was unanimously approved seven zero by the committee.

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 proposed Local Law entitled Chapter 105 - Rentals.

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, did you want to say anything about this; yeah, this is just a, if there might be a conflict between the rental law and other sections of the Code, the rental law being the newest law, the statutory _ is generally what you would follow but we just wanted to make sure that it was clear what __; any further comments or questions, there being none, 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 Tom Kusner, 11 Dickerson Drive, for permission to relocate mooring number W-3478, also designated as WB 34 in the West Neck Creek mooring grid to a location in Menantic Creek approximately 112' northeast of applicant's dock.

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, same time, by a vote of six, zero, one, the one is an abstention because that person is the installer of the mooring, so they elected to abstain from that, they approved this mooring at those coordinates; any questions or comments, there being none, 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 Allies Fault (Josh Sapan & Ann Foley) 22 Prospect Avenue, for permission to install a mooring in Shelter Island Sound 85' northwest of applicant's property at a location designated at latitude 41.083768° north and longitude 72.3614857° 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: Councilman Colligan reported that the applicant has not supplied the required paperwork, so at 5:01 p. m., the Supervisor declared the public hearing recessed and called to order the public hearing to be held as advertised on the proposed Local Law entitled Yard Sales.

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: hello, my name is David Hoffman and I live at 40 South Midway Road, and I'm here to ask you to give serious consideration to either this law or some alternate version of this regulation, I would point out that governments have __ regulated moorings around Shelter Island, noxious odors, and the circumstance of a professional yard sale is a similar visual dispersion, especially for those of us who live on South Midway Road, this is an important balancing at the interest of residents of our community but it is something that warrants action by this council __, I don't have a particular opinion on this because there are so many balances and ___ but I would urge action by the Town; thank you; __ my friend and I live at 36 South Midway Road and one thing I'd like to say is this, you're not trying to create a hardship for the guys that want to have a yard sale, I think the __ for use ___ yard sale over how many hours they have to clean up __ and __ back in the hovel or whatever; I'm Stephen Gessner, 32 South Midway Road, I just want to echo the comments we just heard, I know __ yard sales, __ is not intended, you really need to regulate them in a reasonable way, as is said, we want to limit the number and we'll leave that up to the Town Council to decide what that number should be but in particular it should be the hours of the day that should be specified and clean up should happen after the event has happened, there are other yard sales on Shelter Island, we are dealing with one particular egregious one but we think there are others who might need some regulation or some structure, particularly in our case as some of you know, our house is on the market and they've been trying to sell our house for over a year now and our realtor informs us that a number of perspective clients were turned off the property because of what was going on across the street and they said things like we would never be able to live here, at that point, there were things in the yard such as naked mannequins, pictures of naked women that were clearly on display and obviously those have been taken down, we appreciate that, I have a, Peter you have pictures you're gonna send around, this is a picture of the current status, I don't know if you can see it, this is, I'm just gonna show you; yeah; we've sent

these to the Board before, so we have a personal problem in terms of affecting our value of the valuation of our house which has declined because of this lack of registration of a yard sale we would say and our realtor attests to that, my wife can add some more details about that, there are issues that I think need to be regulated such as parking, our street is very narrow, there's not much land to park on, the issue of traffic, it heightens traffic during the weekend when these sales are going on, the other thing though, as he said, these are not just weekend sales, they go on perpetually and that's one of the critical concerns that we have, particularly it should be a specified period of time when the sale begins and when it ends and the material should be removed at the end of the sale, I thinks that's pretty much what I wanted to say, my neighbors have more than that; thank you, yes sir; Peter Munson, I live at 36 South Midway Road and I echo all the aforementioned commentary and I need to say what Stephen has said, it's one thing when a yard sale is just sort of an aesthetic blemish on the neighborhood but when it has material financial impact on one neighbor and obviously potentially all the other neighbors should they want to decide to sell their house, it's pretty darn material and I think therefore it is not the case that yard sales in our community pose no problems whatsoever and I think something should be done, further, I think it is the case as the paper showed last week and as we have known for some time, that every other town that I can think of on the east end has regulations that govern yard sales and we are very conspicuous as being the only town that does not have such regulation, thank you; Kathleen Minder, South Midway Road, I just wanted to add that a yard sale is something that comes and goes and when the material isn't removed at the end of the sale, it always has become a public health problem because there's animals that are in there and when the person is running the yard sale is away, it becomes a very different kind of hazard to have all things on the __ that's left outside by the side of the road; thank you, yes sir; I'm David Gentile, I live in Hay Beach, my wife and I have been homeowners for eleven years after visiting Shelter Island longer, twenty-five years and we love it here, any law you take up should be something that is needed and will make Shelter Island a better place, this yard sale legislation isn't in the character of Shelter Island and more importantly it won't fix anything, Shelter Island doesn't have a single traffic light, I think we all like it that way, even if it means we have to work a little harder to get along, sometimes we have to wait longer cause of a long line of cars that just came off the ferry, sometimes somebody is being a little jerk which I just did, coming here, at the circle you yield the right-of-way and you know you suck it up to be a better person, that's the essence of small town life, giving a little more than people do in other places and it makes it special, adding a new law should be like adding a new traffic light, something we do only because we have to and it would be the only solution that would work, we have ferries, not cars _ seniors, people say that other east end towns have laws regulating yard sales but Shelter Island is not like other east end town or any other towns, there isn't much like the north fork and it isn't anything like the Hamptons, we pride ourselves on not comparing ourselves on not being like the Hamptons, this legislation will be a step toward becoming more like the Hamptons, it is founded on our __ to improve the neighborhood, I saw a lady identified with the people who spoke before me, I've driven through this area that we're talking about and I've always thought I wouldn't like it if I had to look at that every day, the problem with the legislation is that it is targeting this one property and it's not going to succeed, we all know this house on Midway, it has a continuous yard sale with __, it does have a degree in psychology to see that what's there is not for a yard sale, it seems to me to be something that's going to continue regardless of whether you pass this law or not, it might wind up being called art or maybe just storage but the __ are gonna stay on the yard and it's not gonna be fixed by a yard sale, if necessary, you need, we need to call adult protective services to get professionals involved to address it, no one wants to live next to a house that's unattractive but that's part of living free, each of us could probably point to things that we would change on our neighbor's property in a heartbeat but we are tied cause that's just life and of course it works both ways, if we can channel other people how their property should look, then they should tell us how our property should look, I think there are several properties on this Island that are like messy junkyards or _ but that's freedom and looking at what you find to be an unattractive piece of property is a small price to pay for freedom, George Washington said freedom and property rights are inseparable, you can't have one without the other, almost done, it's poor policy to craft a law that affects every Shelter Islander to deal with only one, people all along the political spectrum can agree that we don't need more orders, take a look at Facebook and see what people think, when you get __ like me and all the conservatives all agree that the law is misplaced, you should talk, I urge you to reconsider, the time, money and energy saved could be spent on other problems that face our community like bike lanes and hiking trails, use of pesticides on our lawns, cell towers, the Town buildings, it just takes a simple question of a yard sale and you're all bound up with rules and regulations, that's not the Shelter Island way, thank you; thank you; Tom Cronin; you're here; okay, I sympathize for all you guys, I really do and I understand what you are going

through, unfortunately this is not the answer, this law, it does not fit to what you guys want it to fit, you guys have done, you have an agenda, I understand that, this law is not the solution, you're gonna have to find a different end, _ protective __ or something of that nature might need to be taken __, even the way the law is written, that it has to be removed, all this, number one it's __ property and that's a wrong way to write a law but the way it's written, after the sale, what sale, all the individual has to say is it's no longer for sale, so now your law is garbage for what you're asking it to do but the rest of the Island has to deal with this terrible law forever, it just doesn't fit what you are trying to do and I know what you are trying to do and I don't have the answer but this law is not the answer, it's not gonna do what these people want and I feel for them, it just isn't it, it's back to the drawing board is all I can say; thanks Tom, Craig; anybody on-line have comments; I do; Sandra, Sandra O'Connor this is; yeah I held a responsible yard sale three weeks ago, but my concern is how are you gonna enforce this, it sounds a lot like the dog law to me which I believe was started because of one person and I just, and unfortunately I don't have the law in front of me so I don't know what the penalty is but are you really going to be able to deal with the one particular person __, I'm just asking, is jail involved, I don't know, I, I, I am __ with the people who live on South Midway, I would not want to __, if it truly is junk ___ and I don't see how you would enforce it with this particular person; thank you, yeah anybody else on line; yeah I just wanted to speak very quickly, my name is Laura Gentile, I live at 111 North Ferry Road, it's real obvious that this person is a problem and ___ to pollution; thank you; can I just comment again, am I allowed to speak again; let me see if anybody else wants to speak first, anybody else on-line, Craig; yeah, I'd like to speak, and this is not my first time appearing, this doesn't get easier but my record is clear, I asked you, all the Board members to not pass laws that aren't about public safety, laws that weren't enforceable and laws that are only throwing fuel on the fire of neighborhood disputes, this law has got all of them and I've stepped up here and spoken my mind in the past and I've tried very hard to be a, someone who would look for compromise in negotiating __ as one of our Councilmen said debang these regulations but this one, it's just not fair, you just can't punish everybody on the Island that's doing yard sales all the time without any complaints, _ complaints about yard sales, it's not fair to punish everybody, I know your property values, I'm an Assessor, I know the ___ house is ___ and I appreciate that and I respond to that but it's not necessary for the whole Island, it's not the way that we should go about this, I don't have the answer and I feel for guys up there, I don't know what it is, this public pressure itself, already __ so maybe there's been dialogue, and it's gonna help us out but I'm urging you to just do what I do all the time and say I made a mistake, I made a mistake and just take this and just try to __, there's no negotiating about laws, nine a.m. or eight a.m., there's no negotiating here, there's, it's just a bad law that ___, I haven't been here that long, full time, but since I have I've had more conversations __, there's no need for this bad law, thank you; Craig talks about public safety and that's I would say that that's the compelling reason why we need this law, there are safety, fire regulations that need to come into play and this is a hazard, it's a public hazard, it's a fire hazard, fire trucks couldn't get in there if they had to get to her house to put out a fire and again people are talking about this is about one person, that was the impetus but there are other yard sales that could profit from that regulation, we're not saying it's a draconian regulation, with regulations that are reasonable, that people would accept and not restrict a well run organized yard sale, those would continue and they could happen five, ten, fifteen times a year, we're not trying to restrict the number of them, the main thing is the duration that these yard sales cannot go on for fifty-two weeks, that's inappropriate in a residential community, the other thing I just wanted to mention is that Peter has, it was Peter's idea actually to raise the concern about fire and safety, the other thing is that yard sale I believe is encroaching on Town property, I know what I'm talking about, it is taking place on Town owned property and thus you guys have an invested interest, in protecting the Town's property so we urge you to see this as a reasonable solution, not draconian and not, it won't restrict appropriate yard sales, the other thing is, we have been told that the Town can't do anything without a law, we have tried many of these things people have suggested, there have been interventions, there have been other things that people have tried to help the situation, they have failed and so we've been told that the only way to get any kind of action would be a law which would restrict the __, we didn't rush into the law, we were happy if those other solutions would work but they have not so we need the key to the law to be able to change the situation, thank you; my problem with this, this one has no key, this is inactive, it's a yard sale law, none of my stuff is not for sale anymore and nothing has changed for you, nothing, junk is still junk and the rest of the Island is stuck with another law that we don't need, we don't need laws, we don't; __, I live on Ginny Drive and do think there are perfect laws and I don't think you've addressed any specific items __, sometimes we have laws that have to be interpreted in ways that can take care of problems so I think we do need laws, I think this particular law is a way to address some of the issues that are related to junk in yards _ take care of their yards ___ yard

sale, that's my opinion; thank you David Hoffman here, this is a wonderfully and __ process, this discussion that is going on between neighbors, I was recently invited to testify before the New York State Legislature on the emergency or disaster __ and protection act, that was the immunity for liability that was passed to address providers who __ their services during the covid pandemic, it was passed precipitously, not well drafted, it was then subject to a virtual appeal, also precipitously not well drafted, not adequately discussed, there are solutions drafting an enforcement and trigger solutions that will address all of the concerns expressed in the room, so to cite the example I opened with when I testified a moment ago, some of the laws we have on Shelter Island are specifically triggered and are only enforced in response to a complaint and that trigger mechanism can create an escalation so that if there is a complaint, there's an inspection and if there are materials that are left out for no purpose other than for sale, that can be subject to some mechanism for regulation as for by example requiring them that the material be taken in or __ upon before it's put back out and if someone wants to offer material for sale more than a set number of days per year, that can be subject to a permit that is in the spirit of a regulation on a home business, the distinction between a yard sale and a home business is one that can be drawn, these are not necessarily amenable to __ objectives like a speed limit but neither is our noise ordinance and neither is regulation on noxious odors which I cited earlier so the law is capable of dealing with impression by open application, by the law being triggered by a complaint, so that one person's property that is __ is not subject to the same level of regulation as someone's property that is right out on the road, there are lots of tools we have to work with and we can be guided by the lessons of Justice Stewart Potter who we shall recall said 'of pornography I can't define it but I know it when I see it' and there were circumstances where the visual disturbance is so extreme and so prolonged that whatever you might want to call it, is not within the norms that our neighborhoods deserve, with that request, those suggestions, we ask that the Town Board come up with something that will address this behavior in a balanced manner that doesn't change the character of our Island and I speak loudly in opposition to any ___; thank you for the law, the law does have the ability, the municipality sort of lacks and wants the law to pass, we did __, if I were to FOIL the number of fines that were given out for our short term rental law, I'd be curious what that is but we are over FOILed so I'm not gonna do that, if we need enforcement for this based on a call that comes in, we would need a code enforcement person on weekends which right now we're looking for somebody and __ think about that, already looking for ___ and then we need to get it to our Justice Department as well who the last Code change violation that I remember, one person came in here and eventually ended up doing community service, it turned out okay cause we got some __ done or something and the other person who is a repeat offender, constant offender, we had fourteen tickets against this individual, eventually the court broke down to that, not me, I don't want to touch that and so the court ticked it to East Hampton and East Hampton, and our legal team went to East Hampton and __ and six months later all tickets were wiped out so we think that passing a law is just gonna make it happen but it doesn't, we need code enforcement and then we need ___ to stop ___ but in this town thankfully we're all nice to each other and most ___ we care about our neighbors and we don't want to rake them over the coals for this, we want to solve the problem and I would say one more time, all of the Shelter Islanders who have junk, have historically been such great people with yard sales because it's a festivity on Saturday to go to yard sales, it's just part of our culture and you can say well that's not burdensome, it's just a little, it's just a bit of ____ fees and fines and regulations and legislation and charts and permits and who do I sign up for and my goodness I didn't do it before Dottie went home on a Friday so I can't have a yard sale, I mean it's just now necessary for the rest of the Town for this and I don't know what the solution is, I have a neighbor who has a car parked for at least twenty years now, I don't know the answer, I feel for our guys but please don't make this a law, thank you; last one, last one; one last time, that the objections to this notionable law, not this particular law but this notionable law are in response to problems don't exist because no law that this Town council passes to address the immediate circumstance, needs to impact in one minute degree the __ yard sale, it could be crafted to that it doesn't address the six of the twelve or the fifteen occasional yard sales in any given calendar year and yet address and be triggered in a circumstance where it goes beyond that what I would define as upper limit of civility and if you want to frame this as a regulation on a home business, __ a regulation of yard sales, that might address some of the concerns we've heard, the law is quite creative in balancing specificity in generality so that we have a sense of what the law is intended to do and where its application reaches the level of ___, my favorite legal philosopher ___ posed the __ of the street sign, no vehicles allowed in the park, you could argue ad infinitum whether that addresses Tonka trucks or the kids pushing along a wagon in a park, but what's clear about a sign that says no vehicles allowed in the park is that you cannot drive your personal automobile up to the picnic table to unload your barbecue and whatever else it means, it means you can't do that, there are solutions; definitely the last one; I just want to acknowledge all that and I hear people try to do

good things and I just want to reiterate what Tom said that this individual can say it's not a yard sale anymore, it's just my stuff and there's no law that says I can't have my stuff in the yard and if there was a law that says we can't have stuff in our yard, none of us would be having this conversation because we wouldn't need this law and we don't need this law, that's it; okay, I just want, for everybody pretty much at home and listening and you didn't know what the law was, you'd think that it's terribly restricting, it's very reasonable, the intent is to keep the character of the neighborhood and stay in compliance with zoning codes, the only onerous part to this whole law is that you have to notify the Clerk that you're having the sale, we're allowing six sales a year, three between Memorial Day and Labor Day, we're restricting hours from nine a.m. to five p.m., you have two days after the sale to remove your items and you have three days to remove your signs, it's really not restrictive, it's not hurting anybody, are we doing it to address one issue, certainly that was the impetus but you know, it's reality, Shelter Island is changing and Mr. Hoffman for you to say you know well if we address it as a business, you address it as a business, this is not a business zone, you're not allowed to have it, oh, it's not a business, it's a yard sale, that's why we need a definition of a yard sale but we can't just have a definition without a law, so unfortunately that's why you know, Tommy, I don't like laws either, it's gonna be a pain in the neck, sure it is but it's the reality, we have to address it; so can I suggest that a compromise that is a response to all of the concerns that have been offered today, is that we need to report and register your yard sale, the third, fourth, fifth or sixth time and the mechanism why which the Town becomes aware that someone has reached their third, fourth, fifth or sixth yard sale, is a neighbor who would report that thing and in the absence of such a report, the law has no impact on anyone and when a neighbor __ that there is a fourth bedroom, six __, incidents of a yard sale the Town simply adds if somebody pulls up and says I like that, can I buy it and the person in the residence says yeah twenty dollars, that's evidentiary proof that a sale is going on, it wasn't just somebody putting their furniture on display; right; so again, there are ways of doing this, let's not consider ourselves to be so __; I'm sure that somewhere down the road we'll be able to say what we did unconstitutional, you created a law against one individual and no one else; no we didn't Tom, what would be the difference if I decided to you know, put all my lawn furniture on the front yard with for sale signs on them and leave them there all year, that's a business; __; __; but Gerry you're missing the point, the guy on Smith Street is selling beautiful chairs that he makes, is that a yard sale, now he's got to stop; no there's a law that, a part of the business code, a part of the zoning code is if you grow anything or make anything at home, you're allowed to sell, that's part of the code; so amend that code to include but I don't want to include it because now what you are saying is if I have personal stuff that I've collected in my yard, it might be four or five cars that I have in my yard or lawn mowers and you don't like it, now you're gonna use that yard sale law __; if you had signs, if I had for sale signs on them yeah, but if they're just there, yeah it's ugly, it's a nuisance but you know, Tom we're trying to take one step at a time; we're trying to clean up yards; we're trying to __, Councilman Colligan; yes, there's not a person in the room that hasn't benefited by being here today, whether you came in with one opinion or another, somebody has spoken tonight that has impacted you in some way, it's been respectful which the Town Board always appreciates the fact that you are respectful, even though there are differences, a couple of things I wanted to say, this Town Board, the five of us, months and months ago, well before we started to orchestrate this law, tried to address this problem in many, many other ways, we tried to tap into our medical staff, social worker, people offered to go to help out, just to clean up, get the stuff off the twelve foot of the Town property, do certain things, that was accepted and then rejected on numerous occasions, so we didn't go into this idea with just let's create a law, we tried everything we could conceivably think of to help out, I do think that times do change and again this is only my fourteenth year on this Island but I've learned a lot here and I realize this is a far cry from Nassau County, I don't like the comparison to East Hampton, Southampton, we're different, I love the fact that we don't overreach and try to overregulate, on the other hand, I started on this problem three years ago, I know all these people in this room that live there, they have all contacted me, I've gone there, I am so sympathetic, when you talk about making judgments about properties and Tom you go by, I'm pretty meticulous about my house, I don't say people have to be meticulous or cut their lawn every week but there are certain boundaries that you reach, when people across the street are trying to sell their home and ten people walk in and tell the real estate offices tell the person the same thing ten times, there's no way, what are they supposed to do, lower their house by three, four, five, what's the secret, lost a half a million dollars on their price of their home, should people have to, this isn't a problem that's been just for this year or for the last three or four years, this is decades long and it seems to be getting worse, so I don't know what the answer is, I don't have all the solutions, I'm in favor of, because to really be honest with you, I came in here tonight with I think this law is, I'm willing to wait three weeks, push this back three weeks and if anybody has good common sense things that we can do, off of, again, we're ___ nine thousand things, not the only

we can do, off of, again, we're __ nine thousand things, not the only thing on the agenda, please bring them forward because in three weeks if I don't hear something constructive, something else that we can do to modify what we've developed here, I'm prepared as an individual to vote for the law because I'm sympathetic for the people that live, and it's very simple and it's always that same thing about you can have an opinion about something about you can have an immunity about something but when you live across the street from it, it hits home so much different, I mean, everybody here is, you think we need community housing, so look; everyone is sympathetic; not in my neighborhood, you know, one of those things, everyone is sympathetic; we have to get over that selfishness, we have to become more passionate, not just for the poor lady that lives there and my heart goes out to her, even though she's said some pretty nasty things back to me personally, I'm not that way, my heart goes out, I wish and I hope by the way since we are seeing little bits of improvement, that maybe, that we have this, maybe some of us can influence her to say what are the next steps that we can take, to me, safety and I witnessed it over the weekends in the summer because people said Jim, they're parked in the lane, there's no room on the shoulder, they're actually in the northbound or southbound lane at Midway, they're parked there, they get out for twenty minutes and they go and look for items and then they come back to the car, it's an accident ready to happen so I am not the status quo, I'm for not for doing nothing, something has got to be done, we're trying to be as compassionate as we possibly can and do the fair and the right thing, not just for this lady but for anybody else in the future or other people on the Island that are having difficulties, when we went through that dog law no more five or six months ago, I can't imagine fourteen dogs at five o'clock in the morning barking and waking me up at five o'clock in the morning, I'm sorry, my heart goes out and you know __ a B & B, that's fourteen dogs and the person's off to work for the entire day and these dogs are unattended, how fair is that to the animal, how fair by the way if we have an emergency call at Midway in the middle of the night for EMTs or for firemen or for our police officers go to the premises and try to get in there and save a human life, I just think that there are some boundaries where people overstep those boundaries, we're here to help and that's what we're trying to do so I would urge everybody, the way I personally feel, I'm very impressed by all the comments that were made and I'm more impressed by the respect that you've shown one another, that's all I have to say; hey Jim, can I ask you a question; yes; can you explain how you think that law is gonna help that particular problem; who am I addressing; my name Laura Gentile, I'm in the internet somewhere; okay; good question; Laura what I think that it does is it gives us a start, number one part of the law says you can't have a yard sale on Town property which is the shoulder of a road which, if in fact you have a yard sale, you can park off the road, so if you have everything on the shoulder of the road, then you have to park on the road, so that's part of the health and safety, the other one that I mentioned earlier was you know if we have an issue where someone __ has potential sales all the time and we tell them _ you're not allowed to have a business and you say it's not a business, it's a yard sale and the next question is gonna be what are they gonna say ___ it's not a yard sale, it's art work and you know, is this perfect, no, is it gonna address every problem no but it's a start and I don't think it's that restrictive that, I mean I guess if you don't want any laws at all, I don't think it's you know, that officious that we can't _; I can't help myself for wanting a compromise but that's who I am, but you're caught between two things, one you want to address this problem and it sounds like, you keep saying you want to address this problem but then the legislation becomes restrictive for everybody else; it's not that restrictive; it is; it is not; have you ever tried to ___; I'll be very honest with you, __ have it at eight o'clock and comments from the audience at the work session were no because they come an hour early; but why have any; we're trying to define yard sales, what it is, so to understand what it is, we've already heard a solution, just define yard sale and put the impetus on the neighborhood; if we went from nine to five, and it went to five thirty, people would not give a darn; exactly, no neighbor is gonna __; it's a guideline which we hope will be followed; why, why do we put it in code because some later group is gonna come through and __ better, why so we even defining __ this is a yard sale and after a certain amount of events, we do something about it, you do want to __ yard sales; yeah we do want to admit, we do want these restrictions on it, we've got __ we don't like that our neighbors are doing this four times a year, we'd like it to be three times; so you're caught between; that's not what we're saying at all, we're endorsing yard sales and again you say we're not the other towns, the other towns limit it to two or three a year, we said six and three in season, it's really not that onerous, there's no fee, it doesn't cost anything, I think unless; no comment; I __ we're gonna vote on this but Jim wants; I want to hear from Mike, I want to hear from Amber, I think she's online and I think we should hear from Albert, just, and I don't mean to put anybody on the spot here; hi, I've lived here since 1982, I live at Sylvan Road and I've seen the Island change enormously in that time and it's sad that it has changed but it has but I don't think it is necessary to pass a law every time you have a problem, this woman is not running a yard sale, she is running a business so

a business so that means we need to look at code enforcement about business, it's not about yard sales and it seems to me that you need a creative lawyer to craft a law or a code that would help enforcement of a business, it could be that you don't want to tackle that problem, it's easier to tackle yard sales, but this is not about yard sales, this is about a woman running a business in her front yard and nobody wants that, we don't want that but a yard sale is part of Shelter Island and I think you should leave it alone, thank you; Albert; you guys know that I am opposed to this law, I'm not in favor of it and I don't think it's gonna catch what you are attempting, I'm not in favor of it at all, Shelter Island doesn't need a yard sale law, __; Mike, I struggled with this law a little bit as well but knowing the discussions we've had, knowing the things that we've talked about, I can, I think Jim's suggestion of spending a couple of more weeks and asking people to give us some thought to come back to us with some alternatives to address the issue very different, I'm not generally in favor of passing additional laws, I am in favor of trying to solve this problem and you could argue that this will or won't be effective but as Gerry said, this is the next step but again you know, there are people who have thought about this and I would like to hear some other solutions that we could consider, we've had a lot of discussion on this and we've had advice from our Town Attorney about what we can and we can't do so I think and I want to second what Jim said, I think this was a great conversation and I also appreciate the respectful interaction because I know this is something that the people who live around that have suffered for a long time and I appreciate your patience in dealing with folks who think this law is necessary, so I would echo what Jim said, please bring us your ideas, bring us your thoughts and we'll consider them; Amber; I think __ I concur with everything that he said, I feel that the reason that we're putting this into place is it's just another arrow in our quiver in trying to deal with an issue, __ encroaching on Town property we deal with that you know, each little piece that we can have for us to maybe steer this problem toward a solution, every little bit helps and we don't do laws that you know, deal with most of the people you know, we have laws against burglary and murder and things and most people don't do those things but we have to have laws in place to deal with the very small percentage of people who will push the limit on things, that's why we __, if people would register, we can even put it on the community calendar and the Town website __ a bit of free advertising ___; alright I think we're gonna recess this hearing; is the final law and all its detail in written and have we seen it; it's available to be seen; it's available; I would say we're gonna recess this hearing; can I just add one thing; sure; I wish you would vote against this law unless you can tell us what the solution; I would invite you to come to the work session and run with this to find a solution, that's the reason that we're, we're not just waiting three weeks, I'll put it on the agenda and try to come up with a solution but again, if it's just the five of us doing it, it's not gonna change much, we need the input; my thought was though that if you can tell us what the next step is, is this law gonna work because I full believe it's not the solution if all a person has to do is say it's not a yard sale, what's the next step, I don't think this is the solution and I'd like to hear how you're gonna; Chris Tehan is the head of the Building Department; one thing __ I read through the law and I've been __ debris and materials in somebody's yard, there's already a maintenance law in place where if you have ten dead cars in your yard, we can make you take them away, we don't generally enforce those rules so I think if you put a little bit of a property maintenance aspect into this, __ yard sales, they can again maintenance, you're dealing with ___ hosting a yard sale but you __ and all that stuff; __; ___; and again we welcome you all to come to the work session and help us; well I just want to point out, __ Town Topics there is a section of upcoming pending laws and regulations and the yard sale law draft is there for people to review; okay.

The Supervisor declared the public hearing recessed at 5:50 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled Repeal and Replace Chapter 100.

The Town Attorney reported as follows: it's very simple, New York State changed the laws for public access to records and so we need to update our code so that we are in compliance with what the State requires.

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. There being no comments, 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 the Pridwin Hotel, Ltd, 81 Shore Road, for a wetlands permit to renovate existing hotel complex; work within wetlands regulated area includes removing existing septic on the northwest side of the property; and Health

Department requirements have two new septic leaching systems and regrading on the waterside front yard of the hotel, within the regulated area.

The Supervisor reported as follows: the question that has come up, why aren't we going through the Wetlands permit process which is kind of onerous on its own and the Town Board with the Building Department and the Town Attorney felt that all this preliminary work was done already with the application before us going forward and this wetlands application came in after the fact based on the septic or the drainage pools that were needed so we feel this work was already done.

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: good evening, I'm Matt Sherman of Sherman Engineering, I'm here with Glenn Petry, owner of the Pridwin, basically what you just said, fill in the existing septic system, that is being taken by requirements of the Suffolk County Health Department, it is within a hundred feet of the Town and some of the new septic system that's going in is within the regulated area, everything else on the project is outside of the regulated area so this is simply a function of what the Health Department is requiring us to do in upgrading the old sanitary system to the new IA system, there is very low impact on the wetlands regulated area, it's all on the landward side of Shore Road so it's as you mentioned Gerry, it's kind of been chewed on and digested several different ways by several different committees and different agencies so at this point it's a pretty straight forward wetlands permit request, one of the things from the new site plan review policy that the Town is putting into place, is the wetlands review would be part of that site plan review or the site plan review that the Town Board would have so it recognizes the fact that the process that we've already gone through is a full review of all of these different components of the project so the fact that we're doing a wetlands permit now tacked on to the end of everything else, is really a function of the fact that the Town still is going from the previous site plan review process to the new process so I don't know if that's something that Bob was gonna touch on but that was something that he and I had discussed when we were trying to figure out when we were going from point a to point b to get this project finally over that final goal line; okay; so Dot we don't have a resolution so what do we do; just say you're gonna have it ready by Tuesday; okay so Matt, we'll have to have a special meeting on Tuesday to pass the resolution, okay; alright, thanks guys.

The Supervisor called for the reports from the Planning Board and Conservation Advisory Council, which were as follows: the Planning Board report, I can jump in real quickly on that, basically they recognized the fact that we were taking out the old system and putting in a new IA system, they recommend it for approval and they just wanted to make sure that the stormwater pollution prevention plan that we prepared for the Town was looked at and the Building Department made sure that we abide by the requirements on that as well as the requirements set forth in the Health Department approval which is, the Health Department is going to be doing that in and of themselves so all in all the Planning Board has a positive outlook on the project; I'm looking at that memo right now.

Conservation Advisory Council member Craig Wood reported that they did not officially go through this but they discussed it as a special permit and nothing was glaring, but they did not officially act.

The Supervisor declared the hearing closed at 6:04 p. m. and reconvened the recessed public hearing on the Cape Horn, LLC, c/o Alexander Jackson, 4 Nicoll Road, application 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: this was put on hold and let me just explain why, Jack Costello was present at this application as well, the application was put on hold and placed on the November agenda for further discussion, Jack will submit new plans for this application prior to November's meeting of the WMAC, he will be removing the piles on the northeast side and moving them to the southwest side of the boat lift and this is what it's about, the boat lift application and the owner should submit a hardship letter as well, especially stating the need for the pilings if the boat lift fails, the owner needs a place to tie up the boat in the event that the boat lift is not operating and the location of the boat lift is in an area that could get nasty as stated by several members of the WMAC, Chairman Needham stated that it is important to have a rationale as to why we would approve this new application and as long as Jack is taking

care of those things prior to the WMAC meeting, he was on line, he knows exactly what was stated here, hopefully he'll get all that stuff to Dottie beforehand and it can be disseminated to the committee for discussion.

At 6:06 p. m., the Supervisor recessed the public hearing and reconvened the recessed public hearing 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 Waterways Committee of the Town Board reported as follows: this application was discussed by the WMAC and after much discussion was held open.

The Supervisor declared the public hearing recessed at 6:07 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 499

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

"Whereas", a public hearing was duly held on the 23rd day of October, 2020, 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. 8 - 2020 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 2021 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 2021 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 500

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

"Whereas", James Davies, 66 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 41.08379°

north and longitude 72.31035° west; said location was formerly occupied by the C-1860 Carlson mooring, 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.

RESOLUTION NO. 501

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

"Whereas", Tom Kusner, 11 Dickerson Drive, has petitioned the Town of Shelter Island for permission to relocate mooring number W-3478, also designated as WB 34 in the West Neck Creek mooring grid to a location in Menantic Creek approximately 112' northeast of applicant's dock, 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.

RESOLUTION NO. 502

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

"Whereas", a public hearing was duly held on the 23rd day of October, 2020, on a proposed Local Law entitled Chapter 105 - Rentals, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 9 - 2020 entitled Chapter 105 - Rentals is hereby adopted, to wit:

Chapter 105-Rentals:

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

SECTION 1. Add the following to Chapter 105 - Rentals, as follows:

105-56 - Order of Priority:

With regard to the rental of real property in the Town of Shelter Island, where there is an actual or apparent conflict between this Chapter and any other provision of Town Code, this Chapter shall apply.

SECTION 2: When effective

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

"Whereas", a public hearing was duly held on the 23rd day of October, 2020, on a proposed Local Law entitled Chapter 105 - Rentals, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 503

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

"Whereas", a public hearing was duly held on the 23rd day of October, 2020, on a proposed entitled A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 100 OF THE SHELTER ISLAND TOWN CODE, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 10 - 2020 entitled A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 100 OF THE SHELTER ISLAND TOWN CODE, is hereby adopted to wit:

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

Section 1. Chapter 100 of the Shelter Island Town Code is repealed and replaced as follows:

Chapter 100. Records, Public Access to

§100-1. Short title. This article shall be known and may be cited as the "Freedom of Information Law."

§100-2. Statutory authority

The Freedom of Information Law (Article 6 Sections 84-90) requires that the Town of Shelter Island publish rules making available for public inspection and copying specified records, and the Town Board of the Town of Shelter Island elects to establish uniform rules for the rules and regulations pertaining to public access of the records of all the agencies of the Town.

§100-2. Intent.

These regulations are intended to be coextensive with the New York Freedom of Information Law and to provide information concerning the procedures by which records may be obtained. Personnel shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by law.

§100-10. Policy.

The Town Board shall, by resolution, create a policy setting forth the specific rules, regulation and fees consistent with the New York State Freedom of Information Law applicable to the execution of this chapter.

§100-11. Hours.

Requests for public access to records shall be accepted and records produced during all hours that the designated records officer is regularly open for business.

§100-12. Location.

Records shall be available for public inspection and copying at the office of the Town Clerk (for Town records except police records) and at the Shelter Island Police Department (for police records).

§100-13. Designation of records access officer.

The Town Clerk is designated records access officer for all Town records except for police records. The Chief of Police is designated as the records officer for police records. They shall:

A. Assist the applicant in identifying the record he is seeking.

B. Search for the identifiable record.

C. Upon locating the record, take one of the following actions:

1. Review such records and delete any information which would constitute an unwarranted invasion of personal privacy, and thereafter make the record promptly available for inspection or schedule an appointment for inspection; or

2. Deny access to the record.

D. Upon request for copies of records:

1. Make copies available upon payment or offer to pay established fees; or

2. Where the agency does not have facilities for reproduction of records, permit the applicant to copy those records.

E. Upon request, certify to the correctness of the records copied.

F. If the record cannot be located, take one of the following actions:

1. Certify, in writing, that the agency is not the legal custodian for such record; or

2. Certify, in writing, that the record of which the agency is a legal custodian cannot be found.

§100-14. Fees.

The fees to be collected by the records access officer shall be set by the Town Board and shall not exceed the limits set in Section 87 of Article 6 of the New York Public Officers Law.

§100-15. Appeal.

Denial of access to records shall be in writing stating the reason therefor and advising the requester of the right to appeal to the Town Supervisor who shall be the individual authorized to determine

appeals, and who shall be identified by name, title, and business address and business phone number.

§100-20. Severability.

If any provision of chapter or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of the article or the application thereof to other persons and circumstances.

Section 2. This local law shall become effective immediately upon filing with the New York 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.

On motion of Supervisor Siller and seconded by Councilman Bebon, the meeting was adjourned at 6:15 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

November 4, 2020

The public hearing to be held as advertised on the proposed 2021 Town budget was held in the Shelter Island Town Hall, Shelter Island, New York, on the 4th day of November, 2020, 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, Town Clerk Dorothy S. Ogar, and nineteen persons were also present.

The Supervisor called the public hearing to order at 1:07 p. m.

Salute to flag.

The Supervisor reported as follows: so this is the formal part of the budget process, we accepted the tentative budget and now it is time for the public hearing, I think the majority of the people here are from the Historical Society but before we talk about that, cause I know Albert has a lot to say about that, does anybody else want to talk about anything else in the budget, any other issues.

Correspondence included the following:

1. A letter from Lily Hoffman urging the Town Board to NOT take away two-thirds of the Historical Society's budget support.
2. A letter from Kathleen Gooding requesting the Historical Society's funds be restored; said funds were utilized by the Society to preserve the history of the Town.
3, A letter from Lawson W. Brigham in support of the restoration of $15,000.00 to the 2021 budget of the Shelter Island Historical Society as it is essential for their Society for their efforts to provide a broad outreach to community users of Town records.
4. A letter from Lora Lomuscio requesting full funding be restored to the Historical Society budget.

5. A letter from Ed Barr requesting restoration of the Historical Society funds.

The Supervisor opened the hearing for all to be heard in favor of or in opposition to the proposed 2021 budget or for or against any item or items therein contained. Some views expressed were as follows: so the issue here is the Historical Society contract, it's not really a contract, it's a donation, last year it was $15,000.00 and again with all the cuts that we put in the budget, I proposed $5,000.00 and that's where we left it for the proposed budget so I don't know who wants to start, someone from the Historical Society, if you just raise your hand so we can unmute you and anyone, Nanette, wait you are still on mute, okay, you're good; okay, thank you for allowing us to come and join you and thank you and Dottie for coming over and seeing our archives, and you can see we are concerned about the cut in the budget which, $15,000.00 is really a great deal of money to the Historical Society and that barely covers the process of supplies, our archival supplies that we need, the boxes, archival paper, archival sleeves, we do provide we think a valuable service to the Town, not only the Town government body but also the Town residents, responding to many inquiries that are Town related, the property lines, past deeds, realtors come in, attorneys come in, people coming in to find out about who were the owners of properties, maps, we have an extraordinary collection of maps so we just ask that you reconsider, making a change to the 5,000 from the 15,000 that we really have relied on for the past at least ten years that I'm aware of; thank you Nanette, anybody else, Michael, you're on mute Mike, okay; thank you, thank you for inviting us, my name is Michael McClain and I'm the volunteer treasurer of the Historical Society, I have been for the last three or four years and I don't have a whole lot to add to the letters and what was just said, it's just a couple of things that come into my mind, if you come to our history center and look at the donor plaque on the wall and see whose names are on there, how many there are and understand that these are all people who contributed to the Historical Society because they want the historical record of the Island preserved and I as treasurer have the opportunity to look at each of the donations as they come in and I'm always amazed at how broad a spectrum of people there are that contribute to the Society, some give major gifts, most of them give modest gifts but each one of them in a vote for preserving Shelter Island's history and so I think that the best representatives of the people of the Island ___ take into consideration the wishes of those hundreds of people that have contributed in their support to the Historical Society, one last thing, I should introduce this topic, I know you mentioned it first as a contract and then you changed your mind and called it a donation, we think of it as a payment for services, the preservation of historic records, not only the Town records but the records of the people of the Island, I think it's a tremendous service to our citizens and our residents and I hope that you will think of it not so much as a voluntary donation that you can arbitrarily sign on but as a true payment for services rendered; just to respond to that, it is a hundred percent donation on the Town's part, it's not a contract for services, we have options of where we're allowed to give that money and for the past twenty years since I was here last time we've chosen to give it to the Historical Society, so it's really not a contract for services; well if I may, I don't see it as a contract, we don't have a signed contract, what I'm saying though is that we provide a service to the Town, the people of the Town and I look to you to support that service; okay, anybody else, Roz, just unmute yourself please; okay, I just want to say that every time I come to the Historical Society, you know to work on some project, every time I come in, there's always someone there with a deed or a postcard or something, they're busy, busy, busy, preserving the history of the Town and I love when someone says that history is now in the making and I don't know, I just can't think of a more important organization on the Island for our Board to continue supporting, I just wanted to say that, thank you; just so everybody understands, you know, I learned a long time ago to pick my battles and you know whatever the Board decides to do, I'll go along with but it is my fiduciary obligation to present what I think is a proper thing to do, what I'd like to ask either Michael or Nanette is, where else do you get funding from, do you get any money from the County or the schools; I'll start out, we have our contract with the County or relationship with the County that is in the form of a grant where we propose a project to them and are rewarded about $5,000.00 a year, we spend the money on the project and then the County reimburses us for it, the rest of the money for the last couple years has been from either fundraising through our activities, educational programs or fundraising events or the majority of the proceeds come from individual donations; okay, Nancy; yeah, thank you Gerry, thank you all for the Board for listening to us because we have a very important set of ideas, and you are very kind to listen to us, we appreciate that, I'm a retired teacher and so I think about education and the school children, I believe yesterday here, I've been on Shelter Island since 1980, I retired when __ but a few years ago, Elizabeth Pedersen introduced me to her ideas about the Historical Society and she wanted to be the education __ and she was and a very exciting thing, __ people here supporting the Historical Society comes directly from that, she seemed to urge volunteers along and we tried to follow that and I am here to ask you to restore the money that you had always given to us because we

are an educational, we are a community, we weave together the Town itself and I have to give you an example, __ in the archives, there is a Shelter Island declaration of independence, I don't know if you all know that we actually have one, signed in 1775, before the national declaration of independence, it was signed by all of the Shelter Island fathers, our founding fathers except for except for one who was the father of one of the revolutionaries and in that, they promised you folks never to be slaves and __ because yesterday when we all went to vote, we didn't want to be __, we wanted to have liberty, then we should show the children this, we also have letters from the wives to their soldiers' husbands who are away that the British were ransacking their homes here on Shelter Island, we have, the __ of London __ in 1821 signed and dated by Esther Havens, because our founding fathers __ the ideas of liberty __ see that, we have all kinds of documents about our veterans __, I couldn't print this out but I'm gonna try it __, and from every war including the Civil War, I don't know how many of you know that the eagle on top of the boulder at the school sits on a __ war veterans, below that ___, look for this, the kids come in, they're ___ , so excited that we, that is Mrs. __, Heather Clark, Heather Reylek that is, __ volunteers got the kids involved in something called Time Travelers, it's a summer program where the children learn to sing the song about ___, dance, eat ice cream, Gene Shepherd brings in his __ to make for us, the kids have so much fun and that's one of the things that __ the Historical Society has and how many of the children engage in that, we are a community we're well put together with Shelter Island school and all the volunteers and people who ___ so, I'm not on the board but ___ I love this program and please return it, we have to maintain our buildings, we have to pay __ at much reduced staff and __, thank you; thank you, Nanette, you have to unmute yourself first Nanette, there you go; I understand the question you had about where our funding comes from, with the exception of two grants which are the program grant from Suffolk County and every other year we get a grant from Gardiner's foundation, all of our operating funds come from Shelter Island individuals and businesses and they don't, we don't solicit off the Island, we really depend on the community to support us and they come through every time, every year, so I just wanted to clarify that, our operating funds do come from individuals; and Nanette, the reason I ask that question was I tried to do a little homework and in the Town of Southampton, the Town budgets a thousand dollars, the County is I guess the same five thousand that we get from the County and the school has a hundred and twenty five thousand in their budget for the Historical Society, so obviously they work hand in hand, Southold gets nothing from the Town or the school, Oyster Ponds gets nothing from the Town or the school, and Sayville's Historical District gets fifty-six thousand five hundred from the school district so I think, you know, and it's all taxpayers money, it's all coming from our pockets but again my role is to try to keep you know, Town taxes as low as I possibly can in an efficient manner, I just think maybe you know we should look at other sources of funding that are available, James; yes hi, I just want ask how the council decides on reducing the fifteen thousand down to a five thousand, you know, a third, and what other considerations were given and what other items do you have in your budget where you've made that drastic of a suggested cut, I mean of course we want to keep it the same, __, as just a citizen but how do you come to your consideration to such a large reduction and what other entities did you consider and etc.; the way that, the process James is I meet with the department heads, I put together, I listen to their proposals and I put my proposals to the Town Board and we discuss it and this year we took away any elected officials guaranteed raise this year for Town officials, we've cut out a lot of our programs as much as we could, you know, we are a bare bones government to begin with, there is no fluff in the budget so anything we take out of the budget has a definite impact on the Town and again I looked at this as a donation, it wasn't mandatory, it wasn't an obligation, I'm looking for anywhere I can find to you know, reduce the budget, anybody else, Gordon; Gerry, I think that what I'd like to explain, the whole thing that we do with Community Preservation, we use the services of the Historical Society to research and even some times prior to considering acquisition, we look at some of the history where the property has been, we develop something that really is for the whole community, I don't know whether you can put a price tag on it and we're putting a program together with the Historical Society, we had this in place prior to the pandemic and hopefully before the Spring of two thousand and twenty-one we were planning on doing an exhibition called this land is your land, basically it was something that the Historical Society was gonna use their wherewithal to help put forward to the community where lands were coming from, the lands we already have, what's the relationship between Shelter Island and the properties and the people and I think that this is pretty important because it ties the whole community together and it also helps preservation because we get our message out and it's a learning experience, I think it's really worthwhile okay, to continue the fund to the Historical Society for this little bit that they're asking for, I think even with this little program, I think it shows okay, it shows what our lands are about, who owned, where it came from, I'm a big supporter okay and not only individually but I like, it's helpful in community preservation in terms of getting

history and documents okay so I would just ask that you actively consider the funding that you put out of the budget and maybe consider restoring this amount and perhaps find some other place that maybe is not as needy at this time as the Historical Society; Gordon I just want to say I'm pretty much playing devil's advocate here, I'm trying to show both sides, but Gordon I'll throw it back at you, just like we did with Waterways Management, why couldn't we use ten percent of the administrative funds from the CPF for the Historical Society; I'm sorry Gerry I didn't hear that; I said I'm gonna throw it right back at you, why can't we use ten percent of the CPF management fund for your involvement with the Historical Society; why could we use ten percent of it; ten percent is allowed for management of CPF and I think, just everything you described is part of that; it's never been done before, don't know whether it's legal, okay; why don't we look into see if it is legal; it certainly is something to explore, okay, I don't want to get into a political conversation over CPF and its money to see if we can try to find places that we can use the money that; well Gordon you are saying that you know, they play an integral part in your information going forward with this, so I think it would be justified funding; well Gerry maybe that's what your job as Supervisor is maybe perhaps you should be speaking with Fred Thiele to see what he will go along with, obviously there are some other things here but I'd rather not get into it in a public forum, all I'm saying here is the Historical Society is a real, adds a real contribution to the community, okay, it's not just the CPF, I'm just explaining a program that was put forward, okay, and I think that they play an instrumental role and I think it's really something that the Town should have okay; and I agree with you a hundred percent, we are very proud of it, we support it as much as we can but if the potential; would you like me to take a look at the budget and maybe make a suggestion to you where maybe you could move funding from one area to another; well you can make, you're more than welcome to make a suggestion but the Town Board pretty much looked at everything and again I'm gonna look into the feasibility going forward of using some CPF money; okay; I have sort of a follow up question, Gordon you say that __ the Historical Society ___, do we not have some of this information in house, like maybe the Town Clerk does for the Assessors' records, just out of curiosity; are you talking about financial records Amber, okay, and I think maybe you are right, I mean they don't have the financial records but what they do is they the history of the property going way back when okay and they have sometimes photographs, they have the history and what we're trying to do is we're trying to, it's not just a property transaction, we'd like to keep the history as connected with it, for example I note, Sandra O'Conner is here today and we made an acquisition on her property and there is, we want to really, we'd gotten into some of it, she was able to share some information with us so I think that when we do it, so I think when we do acquisitions, more than just a property transaction, it's, it has history, the Island has history and we should be proud of it, that's all I'm trying to say; __ past years when the budget was done, I wondered if there was duplication like the Town was saving records and then the Historical Society was saving the same records so I just wanted to understand better where the money; if I'm looking for financial information, okay obviously the Town is where I go, with the history, for the most part okay, we rely on, many times go to the Historical, not on every document but we have some that we're doing right now, particularly right now the program we have in place for next year, you know, we're counting on their help to do this and they provide the facility for it, they have people that they can reach out to, everybody is a volunteer there and they've been more than helpful, I'm just coming across Amber to say it's, it's not like it's a lot of money and I'm just trying to add some support to what they are looking for, it's not wasting money, it's not excess money, it's something like can we use it, cause every piece of property has history okay and you know when we get into some of the acquisitions we're really always interested in every piece that we've been involved with, there's always been some history where it was like Congdon's Creek where and the owner sold us that property, it provides a good, there is history and it's good to see how these things progress, that's all, we have Turkem's Rest, okay, which has an old ice house there, what we're trying to do it, I want to make, I want the public to know that Turkem's Rest, since it's been opened, and we hadn't even gotten to that piece of the property, I'd like to do something that talks about the ice house which, so it's a good tool okay and it's really, it's not like we're going out and ___ thirty thousand dollars to engineering a pond some place, it's really something that they combine the information for us, it's not costly and it's for the benefit of the Town, that's all; thanks Gordon, Albert, I know you're pretty passionate about this; Gerry I'll start by saying I'm in favor of restoring the ten thousand dollars, I know Nanette and some others had come in at past public hearings and made a presentation about the material that they have to use when they're archiving materials, it's not just putting it in a piece of cardboard or a folder or something, it's special material, it does cost, the thing that I did not realize and I have since learned when I went into it is the amount of people on the Island that use the archive room, that go into the Historical Society and they want to understand their property deed or any, the amount of people that use that facility to get information, I'm just in favor of it, it should be supported; thanks Albert, Mike; yeah just a couple things that

our discussion about budget, this is my first time at it as a Councilperson, I just want to say that we faced some real challenges, not just in the budget itself but in reduced funding, like we had counted on getting from other sources like the County, we had to deal with some increases that we didn't expect, that had come out way, like in the Comprehensive Plan so there was a lot of challenges in this, my personal view is that I like the idea that maybe we could restore some of that support with CPF money and based on what I've heard here today, I would support restoring five thousand cause again we were dealing in thousands and hundreds of dollars to try to control the budget this year; thanks Mike, Jim; I like the both of what you just said, particularly Mike when you talked about, we lost hundreds of thousands of dollars' worth of revenue this year and that hurt, insurance costs went up dramatically you know, not just five or ten percent but astronomically so we started looking at this budget and I've got to tip my hat to the Supervisor and to Amber and to everybody that participated in it, we got a budget that was no longer sixteen, seventeen, eighteen percent which we were getting the last couple of years, it was a reasonable budget but still to find a couple of hundred thousands of dollars to get it down into the threes, we were on this for two weeks and literally line by line over and over again, I do think that the history of Shelter Island is something that's paramount, I think it's very, very important, I like what I've heard today, I would do two things, I would first endorse what Mike Bebon just said and automatically try to increase by five thousand to get this up to ten, I would then like to take over the other ideas that were generated here to try to make the additional amounts of money whether the school would be involved or whether other people would be involved or if we could find it as suggested in another budget but believe me we spent an enormous amount of time, really taking a hard look in presenting the most positive we could to get it down to like three point six percent and with Covid and people out of work and things like that, it was very important to keep the budget down so I would support putting another five thousand dollars in to get to them and I would see if there is any other way we could build that up even further, thank you; thanks Jim, Amber;__ the numbers here, went from the previous three point six percent to three point seven percent, I did some calculations and that's like what I do for the Fire District for their budget, a home valued at eight hundred and forty thousand dollars, would end up paying like two dollars and thirty cents more in taxes on taxes per thousand, a million and a half would be four dollars and __ cents, I would have to check those figures, that's what we're talking about in terms of the average taxpayer, so do we, are you comfortable putting this on to the taxpayers ___; that's what we love about you Amber because we knew you'd come up with those figures right away, I just want to, the gentleman that brought up the, what did you cut in the budget, I don't have the budget in front of me but I could probably say forty or fifty things that we really, really, just to get it down to three point four with the loss of three hundred thousand dollars' worth of revenue and another couple of hundred thousand dollars that we had in insurance costs and other things, we and I say, Gerry did, took the leadership on it and did a yeoman's job with Amber and other people here in the Town and I think we're headed in the right direction and I just want to end on one thing, that the place itself is historic, it turned out beautiful, thank God the building was funded by lots of donations but it's a masterpiece, it's a wonderful place to go and visit, I hope when Covid is over that more people will take advantage of going to the Historical Society, it's something that we're very proud of and we want thank each and every person that sits on those committees and works hard to maintain all those records whether it's for us or anybody else for that matter, I think it's a service that you know, everybody on the Island really appreciates and take part of it; Amber before I put you on the spot, I just want to say I kind of get nervous when you say it's only gonna be a two dollar increase or a four dollar increase because you know, I mean Jimmy Read has some things in his budget __, it's all gonna be a four or four dollar or ten dollar increase and if you go down the line, those add up pretty quick to significant numbers so unless you're gonna do that across the board, I don't think you can do that for one particular instance so right now we have Albert suggesting ten thousand, Mike and Jim suggesting five thousand, so what do you think; put it in, it's for the community, it's our history; it's our history, please; Dottie when do we have to adopt this budget, I just would like to, you know, have a chance to mull this over, is it today; no you don't have to adopt today, you have until November 20th to mull it over and adopt it; okay, in that time, I'll see what other funds are available and Mike, you have something; yeah I would say that we are gonna look at the CPF if it's possible to get funds; yeah, I'll try to do that today after we get over this, John, you're on mute John; yes I'd just like to add a little something, John D'Amato, I'm the Vice President of the Society, first I thank everybody for working with us and just a thought, I don't want to get into a semantics conversation about donations or how you might characterize this but I think it's important to understand, I think we all think that these documents are very precious documents and where else would these documents reside that they would be archively protected with the proper paper, the proper boxes, the proper air conditioning and humidity control and physical protection that we provide, now I think that's a very important discussion that says we don't want to lose the, obviously nobody

wants to lose these documents or have them be destroyed because they're not properly protected and I think that's a different characterization for me, that donation and I don't really want to get into a ___ conversation but say that I appreciate the fact that you are working with us and I feel comfortable that as usual the Board will work with us to go in the right direction, I thank you for your time and efforts on this, I appreciate it; thank you John; likewise John; anybody else; hey Gerry; yes Bob; can you hear me; __ donations as opposed to a contract, ___ a contract and depending upon the purchasing policy and what the numbers are, maybe that should go out to bid; alright, I already brought up the point that we don't have to adopt this right away so rather than try to do this over the phone, we'll discuss this at the next Board meeting, at the next work session, but thanks Bob; obviously you've given us a lot to decide and we appreciate it, I kind of remember this happening two or three years ago, this situation and __ I think you mentioned it twice today, give us a chance to work on it and see if we can come up with some kind of a reasonable help here; okay; Nancy; yeah thank you, I can never tell which of you is speaking but I go with everybody else saying __ other taxpayers, two dollars or more, whatever it is, __ that Shelter Island is very unique and we are so different from the south fork and the north fork, this is what makes Shelter Island so unique that we are a piece of history, we're not just imagining that, we have all these stories right here, thank you; thank you; thank you; hey Nancy that gives me a great segway to end this conversation is you know we do a lot of things with volunteers on Shelter Island, we do everything as tightly as we can financially to the point where it's almost ridiculous when we look at the towns, how they can stay under the cap, I mean Amber and I go over this all the time and how can they possibly do it, it's good to hide money everywhere and we don't do that, our money is what it is, what you so probably we should be trying to put more money into the budget so it's a little bit easier to operate instead of on a shoestring but I know that wouldn't go over too well with the public so we're trying our hardest to work with everybody and we will talk about this next week at the work session, so thank you, I really appreciate all of you showing up to give some input into this, so thank you; thank you guys; Dottie before we go into, we're gonna recess the hearing; when are you gonna reconvene it; you tell me, we have to discuss this issue so can we close the hearing or do we have; yeah you can close it, then you can discuss it and make changes; oh okay, so we'll close the budget hearing, alright thanks Dot.

The Supervisor declared the public hearing closed at 1:46 p. m.

Dorothy S. Ogar
Town Clerk.

November 4, 2020

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 4th day of November, 2020. 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 twenty persons were present.

The Supervisor called the special meeting to order at 1:47 p. m.

RESOLUTION NO. 504

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

"Whereas", Pridwin Hotel Ltd has applied to the Shelter Island Town Board for permission to undertake significant construction within the vegetative buffer and adjacent regulated area at 81 Shore Road, Shelter Island, New York, which is Zone AA to A, Near Shore and Peninsular Overlay District on the Shelter Island Zoning Map, and specifically described on the Suffolk County Tax Map as 0700/13/01/20; and

"Whereas", the Zoning Board of Appeals issued special permits (this application was previously broken into two phases) dated August 28, 2019 (revised August 21, 2020) and November 13, 2019; and

"Whereas", the Town Board approved the Site Plan and issued a Special Permit dated September 11, 2020 that addressed the environmental aspects of this project; and

"Whereas" subsequent to the granting of the prior permits, the applicant obtained a permit from the Suffolk County Department of Health Services (no. C-20—038) to install a nitrogen reducing septic system, which required the new system to be located within the regulated area; and

"Whereas", the New York State Department of Environmental Conservation has issued a letter of non-jurisdiction; and

"Whereas", this Board considered the current wetlands application and accompanying documents at a public hearing held pursuant to notice on October 23, 2020; and

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

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

1. The applicant has a Suffolk County Department of Health Services permit to install a nitrogen reducing septic system; and
2. The applicant has filed a SWPPP with the Town of Shelter Island; and;
3. The improvement of the septic system will constitute an improvement to the environmental conditions in the area; and
4. This minor intrusion into the wetlands to upgrade the septic system does not substantially add to the project in any way that would warrant reopening the Site Plan Review process as the environmental issues raised by this intrusion were already addressed in those proceedings; and

BE IT FURTHER RESOLVED, That to the extent that they are constructed as depicted on the survey by John Metzger Land Surveyor dated July 10, 2019 and plans by Stokes Architecture & Design dated June 3, 2019, the site plan revision dated October 28, 2019, the SCDOHS Permit and the prior ZBA and Site Plan approvals, the requested wetlands permit for the above described work to be conducted at the premises is hereby granted subject to the following:

1. The applicant must comply with the restrictions imposed by the Zoning Board of Appeals and in the Site Plan Approval; and
2. The applicant must adhere to the SWPPP plan submitted to the Town; and
3. The existing septic system shall be replaced by a nitrogen reducing IAOWTS septic system; 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
5. No public street or public or private right-of-way may be obstructed or impaired during construction; and
6. The project manager shall post a sign on the site with his cell phone number and shall address in a timely fashion neighbor concerns regarding litter control, parking, noise, road conditions and other impacts caused by the project; and
7. Prior to issuance of a building 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
8. The Building Inspector may halt construction for a violation of any violation of these provisions; and
9. This Permit may be revoked if the applicant or any successor fails to abide by the conditions above; 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 Dickson	aye
	Councilman Bebon	aye
	Supervisor Siller	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 505

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 Memorandum of Agreement between the Town of Shelter Island and Bus Patrol America LLC authorizing the installation of stop-arm cameras on school buses to allow better enforcement of stop-arm violations by capturing images of vehicles and drivers who unlawfully pass a stopped school bus and by subsequently issuing violation to such drivers.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 506

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

"Whereas", the Town of Shelter Island (Town) and the County each own a fifty percent undivided interest in the premises identified by SCTM No. 0700-23.00-.01.00-024.010, hereinafter the "Property"; and

"Whereas", the bulkhead located on the Property is in need of replacement, and the Town and County are desirous of sharing the costs of said replacement on a 50/50 basis; and

"Whereas", the Town is agreeable to maintain and perform future repairs as needed to the Premises at its sole cost and expense; and

"Whereas", the Town will require access to the Property to perform the bulkhead replacement, and future repair and maintenance of the Property; and

"Whereas", Article 5-G of the General Municipal Law authorizes municipal entities to join together for the provision of municipal services for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis; and

"Whereas", the Town has conducted a review of the bulkhead replacement under 6 NYCRR Part 617 State Environmental Review Act (SEQRA), and

"Whereas", the Town and County hereby wish to enter into an Intermunicipal Agreement for the purpose of allowing the Town to construct the bulkhead replacement and for the future maintenance and repair of the Property; now, Therefore

BE IT RESOLVED, That the Supervisor of the Town of Shelter Island is hereby authorized, empowered, and directed to enter into an Intermunicipal Agreement with the County of Suffolk to provide access to the Town for the bulkhead replacement and future maintenance and repair of the Property identified by SCTM No. 0700-23.00-01.00-024.010 for a term of ten (10) years; and

BE IT FURTHER RESOLVED, That such Agreement shall require the Town to maintain the Property and allow access to all Suffolk County residents; and

BE IT FURTHER RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment and cedes Lead Agency status moving forward to the County of Suffolk.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	Councilman Colligan	aye
	Councilman Dickson	aye
	Councilman Bebon	aye
	Supervisor Siller	aye
		5 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 2:03 p. m.

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

This motion was carried.

Dorothy S. Ogar
Town Clerk

November 13, 2020

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 13th day of November, 2020, via Zoom and in person. Town Board members present were Supervisor Gerard F. Siller, Councilmen James T. Colligan, Albert Dickson, and Michael J. Bebon. Councilwoman Amber Brach-Williams was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and approximately twenty-four persons were also present.

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

Salute to flag.

The Supervisor made the following statement:

This is the November 13, 2020 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 financial report for the month of September, 2020, as follows:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
September 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM	BALANCE	CLASS
Gen Chking	6,452,347.47	406,082.31	727,139.16	6,131,290.62	609,646.89
Hwy Chking	1,786,758.54	1,911.54	98,274.72	1,689,495.36	
T&A Cking	93,131.26	34,217.70	28,915.83	98,433.12	10,513.68
T&A Savings	12,236,740.30		12,237.04		
Hwy Cap Res	349,012.33	22,508.77		371,521.10	
WNW Supply	21,185.38	1,556.63	11,210.75	11,531.26	154,214.43
Taylor's Isl.	44,117.21	1.80		44,110.01	
Comm Presv.	1,432,680.69	11.60	11,957.76	1,420,734.53	5,902,756.25
Waterways	313,303.10	2,045.00		315,348.10	
Reserve Fund	2,286,601.41			2,286,601.41	
Brdg St Escr					371,239.36
Env'tal					5,677.45
FIT Ctr Resv	20,045.25			20,045.25	
Amb.Reserv	186,461.46	1.51		186,462.97	
Ambul Train	24,477.31	0.60		24,477.91	
TOTALS	13,022,358.14	467,437.76	877,498.22	1,612,297.68	7,254,048.06

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
October 2020

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Chking	6,131,290.62	271,625.88	1,041,581.10	5,361,335.40	809,705.46
Hwy Chking	1,689,495.36	6,239.16	148,832.23	1,546,902.29	
T&A Cking	98,433.12	49,578.03	36,122.08	111,889.07	10,514.46
T&A Savings	12,237.04	0.30		12,237.34	
Hwy Cap Res	371,521.10	9.16		371,530.34	
WNW Supply	11,531.26	8,762.32	5,057.67	15,235.91	154,225.57
Taylor's Isl.	44,119.01	1.12		44,120.13	
Comm. Presv.	1,420,734.53	116,783.03	203,000.00	1,334,517.56	5,903,183.38
Waterways	313,348.10	2,625.00	5,600.00	312,373.10	
Reserve Fund	2,286,601.41			2,286,601.41	
Brdg St. Esc.					371,266.17
Env'tal					5,677.80
FIT Ctr Resv.	20,045.25			20,045.25	
Amb. Reserv	186,462.97	1.56		186,464.53	
Ambul Train	24,477.91	0.60		24,478.51	
TOTALS	12,612,297.68	456,626.16	1,440,193.08	11,627,730.76	7,254,572.84

RESOLUTION NO. 507

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

"Whereas", Anthony DiNottte, 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, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 4th day of December, 2020, 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:	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. 508

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, 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 4th day of December, 2020, 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:	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. 509

Councilman Dickson offered the following resolution, which was seconded by Councilman Colligan, 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, 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 4th day of December, 2020, 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:	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. 510

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

"Whereas", the term of Patricia A. T. Hunt as a member of the Taylor's Island Preservation and Management Committee will expire on December 13, 2020, and

"Whereas", Patricia A. T. Hunt has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Patricia A. T. Hunt is hereby re-appointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2023, and

BE IT FURTHER RESOLVED, That Patricia A. T. Hunt is hereby designated to continue to serve as Co-Chairman of said committee for a term to run coterminously with her term as member.

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. 511

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

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

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

BE IT RESOLVED, That Keith Clark 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:	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. 512

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

"Whereas", a vacancy exists on the Recreation Commission, and

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

BE IT RESOLVED, That Mariana Koehler is hereby appointed to serve as a member of the Recreation Commission for a term to expire on August 7, 2023.

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. 513

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

"Whereas", a vacancy exists on the Green Options Advisory Committee, and

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

BE IT RESOLVED, That Kate Soroka is hereby appointed to serve as a member of the Green Options Advisory Committee for a term to expire on May 10, 2023.

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. 514

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

"Whereas", a vacancy exists on the Green Options Advisory Committee, and

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

BE IT RESOLVED, That Cristina Cosentino is hereby appointed to serve as a member of the Green Options Advisory Committee for a term to expire on May 10, 2022.

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. 515

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

"Whereas", the term of Alfred Loreto as a member of the Waterways Management Advisory Council will expire on February 1, 2021, and

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

BE IT RESOLVED, That Alfred Loreto 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:	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. 516

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

"Whereas", the term of Richard Surozenski as a member of the Taylor's Island Preservation and Management Committee will expire on December 13, 2020, and

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

BE IT RESOLVED, That Richard Surozenski is hereby re-appointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2023, and

BE IT FURTHER RESOLVED, That Mr. Surozenski is hereby designated to serve as Co-Chairman of said Committee for a term to run coterminously with his term of appointment.

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. 517

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

"Whereas", the term of Margaret Anne Larsen as a member of the Planning Board will expire on December 31, 2020, and

"Whereas", Margaret has expressed her willingness to continue to serve 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:	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. 518

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

"Whereas", a vacancy exists in the position of Chairman of the Conservation Advisory Council, and

"Whereas", Craig Wood and Mark Cappellino have volunteered to fill said position, now, Therefore

BE IT RESOLVED, That Craig Wood and Mark Cappellino are hereby designated to serve as Chairpersons of the Conservation Advisory Council, and

BE IT FURTHER RESOLVED, That their terms as Chairperson of said Council, shall run coterminously with their terms of membership appointment.

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. 519

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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 retroactive to November 9, 2020.

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. 520

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

"Whereas", the term of Stephen Lenox as a member of the Taylor's Island Preservation and Management Committee will expire on December 13, 2020, and

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

BE IT RESOLVED, That Stephen Lenox is hereby reappointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2023.

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. 521

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

BE IT RESOLVED, That a special meeting of the Town Board of the Town of Shelter Island will be held at 2 p. m., prevailing time on the 17th day of November, 2020, in the Shelter Island Town Hall, Shelter Island, New York for the purpose of adopting the 2021 Town budget.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 522

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

"Whereas", Lawrence L. Devine, 57 Winthrop Road, has petitioned the Town of Shelter Island for permission to remove 200 feet of existing bulkhead and a nine foot return and cut off any remaining 1 inch by 8 feet steel tie rods and fill any disturbed areas with 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:	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. 523

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

"Whereas", Andrew and Melissa Elliott 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 10A South Midway 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:	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. 524

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

"Whereas", Douglas Matz 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 Tarkettle 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.

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. 525

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

"Whereas", Mary Fran Gleason 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 32 Baldwin 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.

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. 526

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

"Whereas", Stephanie Franks 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 29B Osprey 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:	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. 527

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

"Whereas", Frank Vincenti 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 17 Ram Island 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 plus incentive of $2,000.00 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 plus incentive of $2,000.00 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:	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. 528

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

"Whereas", Paul and Vanessa Cuccurullo 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 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 $6,000.00 plus $2,000.00 if requested and qualifies 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 plus $2,000.00 if requested and qualifies 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:	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. 529

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 from the Shelter Island Country Club in the amount of $378.10 to the A1490.410 Public Works grounds maintenance expense account, and the reimbursement funds received from the NYS Unified Court System in the amount of $1,000.00 to the A4050.408 Covid maintenance expense account.

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. 530

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

"Whereas", sealed bids on the purchase of propane for the year 2021 were received by the Town Clerk's Office until 3 p. m. on the 12th day of November, 2020, at which time they were publicly opened and read aloud, as follows:

John's Gas Service: for each gallon delivered for the calendar year 2021, the differential will be $.54 per gallon; and

J. W. Piccozzi, Inc.: for each gallon delivered for the calendar year 2021, 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 2021 is hereby awarded to J. W. Piccozzi, Inc. for the sum of the differential of $.529 per gallon.

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. 531

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

"Whereas", sealed bids on the purchase of fuel oil for the year 2021 were received by the Town Clerk's Office until 3 p. m. on the 12th day of November, 2020, at which time they were publicly opened and read aloud, as follows:

J. W. Piccozzi, Inc.: for each gallon delivered for the calendar year 2021, 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 2021 is hereby awarded to J. W. Piccozzi, Inc., the sole bidder for the aforementioned price.

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. 532

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 4:46 p. m., prevailing time, on the 13th day of December, 2020, 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 Local Law entitled Repeal Chapter 109 and Replace with New Chapter 109, 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.

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
2. 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.
3. **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.
4. **Landscaping and screening**. All required service, storage and similar areas are appropriately screened from view and to provide a noise buffer.
5. **Existing Development, Comprehensive Plan and Prior Orders.** 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 and special permits.
6. **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.
7. **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.
8. **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.
9. **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.
10. **Drainage.** The drainage system and layout proposal will afford an adequate solution to any drainage problems. Any construction activities involving soil disturbance of more than one acre shall be in compliance with the provisions of the New York State MS4 program, all NYSDEC regulations and Chapter 109 of the Shelter Island Town Code.
11. **Public utilities**. The plans for water supply and sewage disposal are adequate. Installation of a nitrogen educing septic system.

12. **Public address or sound system.** Any sound or public address system shall be such that no sound from a system shall be audible on adjoining properties or on the adjacent street and shall be in compliance with Chapter 92, Noise, of the Town Code.
13. **Handicapped access (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.
14. **Energy conservation.** The site plan and building design shall maximize the conservation of energy and ensure compliance with the New York Energy Code.
15. **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)(B) 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. 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. 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. A 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 licensed architect, landscape architect, professional civil 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. However, the Town Board may later require that such omitted information be provided even if initially omitted as not relevant.
    c) 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) 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) 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.) 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. 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 15 days.

H. 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 10 days prior.
2. At least 10 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 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 10 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.

I. 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.

J. Notice of Decision

1. Within one week 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 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.

K. 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

A. 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.

§109-22. Effective Date.

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

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. 533

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

"Whereas", § 129-4(A)(7) of the Shelter Island Town Code provides that an applicant is to furnish copies of Wetlands Permit application in a number to be determined by the Town Board; and

"Whereas", the Town Board wishes to emphasize and increase digitalization of the application process; 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 4th day of December, 2020, in the Shelter lsland Town Hall, Shelter Island, New York, on a proposed Local Law entitled Digitalization of Wetlands Applications, to wit:

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

SECTION 1. All applicants for a wetlands permit are to submit to the Town Clerk the application in digital form as a .pdf file.

SECTION 2. All digital submissions shall be named as follows "[applicant name]-[permit requested]- [date of submission]" for example "Smith-Wetlands-10-04-21".

SECTION 3. Applicants shall provide 2 full size printed copies of their complete applications and 8 additional copies of all documents not printed on 8 ½" x 11" paper (including but not limited to all maps, surveys and site plans).

SECTION 4. All subsequent and post application submissions must be sent to the Town Clerk and comply with these regulations.

SECTION 5. Upon request from the building department or town engineer, the applicant shall provide digital copies in such other formats as may be required.

SECTION 6. Effective date.

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

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. 534

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

"Whereas", § 133-34(a) of the Shelter Island Town Code provides that an applicant is to furnish applications to the Town Board or Zoning Board of Appeals in the "form required"; and

"Whereas", the Town Board wishes to emphasize and increase digitalization of the application process; now, Therefore

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 4th day of December, 2020, 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 Digitalization of Variance Applications, to wit:

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

SECTION 1. All applicants for a special permit or variance are to submit to the Town Clerk their application in digital form as a .pdf file'.

SECTION 2. All digital submissions shall be named as follows "[applicant name]-[permit requested]- [date of submission]" for example "Smith-Special Permit-10-04-21".

SECTION 3. Applicants shall provide 2 full size printed copies of their complete applications and 8 additional copies of all documents not printed on 8 ½" x 11" paper (including but not limited to all maps, surveys and site plans).

SECTION 4. All subsequent and post application submissions must be sent to the Town Clerk and comply with these regulations.

SECTION 5. Upon request from the Building Department or Town Engineer, the applicant shall provide digital copies in such other formats as may be required.

SECTION 5. Effective date.

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

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. 535

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

"Whereas", J P Morgan Chase, 169 Ram Island Drive, has petitioned the Town of Shelter Island for a wetlands permit to demolish the existing single story home and attached garage, remove basement foundation and backfill with material on site, 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 4th day of December, 2020, 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:	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. 536

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

"Whereas", the Nutrition Program has received a very generous donation in the amount of $1,500.00, and

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

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

$1,500.00 increase to the 2020 A2705N Nutrition Program donations revenue account, to be funded by the donation received, and

$1,500.00 increase to the 2020 A6772.400 Nutrition Program food expense account.

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. 537

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

BE IT RESOLVED, That the following 2020 budget transfer is hereby approved:

$3,900.00 from the A1015.200 Media equipment account to the A1015.404 Media technician account;

$2,000.00 from the A3120.200 Police Department equipment account to the A3120.484 Police Department office and miscellaneous account;

$600.00 from the A5010.440 Superintendent of Highways training account to the A8160.484 Landfill office and miscellaneous account;

$335.00 from the A5010.440 Superintendent of Highways training account to the A8160.488 Landfill high visibility clothing account;

$300.00 from the A8160.490 Landfill hazmat training account to the A8160.484 Landfill office and miscellaneous account;

$550.00 from the DB5110.160 Highway double time account to the DB5110.159 Highway over time account; and

$6,000.00 from the DA5130.482 Highway grinder maintenance account to the DA5130.284 Highway brush grinder account; and

BE IT FURTHER RESOLVED, That the following 2020 budget modification is hereby approved:

$175,950.00 from the Waterways Fund balance to the A5710.400 Waterways Management expense account.

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. 538

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

BE IT RESOLVED, That 2020 general claims numbered 1685 through 1802 in the amount of $293,042.89, 2020 highway claims numbered 200 through 220 in the amount of $61,960.45, and 2020 West Neck Water claim numbered 34 in the amount of $416.73 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:	Councilman Colligan	aye
	Councilman Bebon	aye
	Councilman Dickson	aye
	Supervisor Siller	aye
		4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:02 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Marina Hahn, 70 Tuthill Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.073735° north and longitude 72.28111° 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 November 2nd and by a vote of, this is for Hahn, right; yeah; they didn't vote on this one because it was deemed incomplete, there was missing information and Mike Anglin who is a member of that committee was going to call Hahn and check, in detail, outline exactly what information needed to be on that application so hopefully, Dot was that done; he did, he got it, he brought it in and he said the WMAC was fine with him handling it; okay, 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 5:03 p. m. and called to order the public hearing to be held as advertised on the application of Nicholas Argyrou, 16 Great Circle Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.08574° north and longitude 72.31213° west; said location was formerly occupied by the C-3472 Clark 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: the meeting in October, actually, it wasn't the November meeting, it was October 4th, the committee took a vote on this, they voted seven, zero to approve that location, so that application was approved in October.

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 called to order the public hearing to be held as advertised on the application of Peter and Michael Mankins, 26 Margaret's Drive, for a wetlands permit to demolish and replace existing sunroom and indoor pool/jacuzzi, and construct within same footprint a 15.7' by 20.8' enclosed porch, remove wood tie walls, and remove/relocate HVAC unit, construct 11.8' by 24.2' covered wood beam trellis over existing deck adjacent to proposed porch, demolish and remove existing 7.9' by 11.8' enclosed front porch and associated landings/steps/retaining walls, and construct a new 9' by 26.3' uncovered masonry porch, and remove and replace approximately 1,225 square feet of existing driveway with approximately 919 square feet of stone paver patio and new retaining walls and steps (located nearly entirely outside but adjacent to 100 foot 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 were as follows:

Councilman Colligan presented the Conservation Advisory Council report as follows: the CAC met earlier this week on Monday and we took a look at it, several members of the committee had visited the site earlier and they found nothing wrong with it, they visited the property that day, pretty much straight forward, nothing to really recommend so the CAC had no recommendations of any consequence and by a vote of five to zero they approved the application.

Councilman Bebon presented the Planning Board report as follows: so the Planning Board recommends approval of this, for the most part, the modifications are gonna be constructed in the same footprint as the existing structures and actually there is an inground pool and a jacuzzi that are gonna be removed which will be creating a __ water demand on the property so again the recommendation of the Planning Board is the application can be approved so long as the construction on the waterside of the property remains within the footprint of the existing structures and wire back silt fence is installed to prevent runoff and contain site disturbance during construction.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Mr. Herrmann; good evening, can you hear me okay; yes, yes; I don't have much to add, it's a pretty minimal proposal as far as wetlands applications go, almost all of the work will occur in the footprint of existing structures, there's an enclosed porch that's proposed in place of the existing sunroom which currently contains that indoor jacuzzi on the waterside of the house and that replacement will occur within the same footprint, there's a trellis with a _ that will be constructed adjacent to the new porch but that's going completely over the footprint of the existing deck and so the only increased coverage is actually on the roadside of the house where there is an uncovered stone porch that will be built in place of an existing covered porch and landing in the front yard, again on the roadside of driveway side of their house but that net increase is actually less than a hundred square feet so we do take a position that the __ will make an improvement to the regulated area as the potential water demand is reduced as a result of removal of that indoor jacuzzi and of course the _ porch will be equipped with gutters and leaders directed to a drywell which the existing sunroom is not and there will be the wired back siltation fencing installed to contain project disturbance and runoff during construction, so that's the application in a nutshell, if the Board has any questions, I'm happy to answer them; anybody have any questions; no sir; Dot do I close it or recess it; close it.

The Supervisor declared the public hearing closed at 5:09 p. m. and called to order the public hearing to be held as advertised on the application of Maria and Vincent Testa, 8 Grace's Lane, for permission to remove 755' of existing bulkhead and construct 755' of new bulkhead, 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: at a meeting held on November 2nd, the WMAC on this, they voted seven, zero to support this, this is on Grace's Lane, I think it's right next to the project that we're doing Gerry, so that's a big bulkhead, if you take that seven hundred feet and change and that three hundred feet that we're doing, doing about a thousand and eleven hundred feet of bulkhead there and that's gonna be a nice addition so they were very pleased with the fact that it was all being done at once; alright, Jack do you have anything to add to this; no, if you've got any questions; are you gonna do it all while you're down there; hopefully; it's coming along great so far, any questions or comments from the Board or audience.

There being no comments, the Supervisor closed the public hearing at 5:10 p. m. and called to order the public hearing to be held as advertised on the proposed use of approximately $13,570.00 Community Development Block Grant funds the Town expects to receive in 2021.

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

The Supervisor opened the hearing for all to be heard.

Councilman Colligan reported as follows: two years ago we used that money at the Wade's Beach bathroom to make it ADA compliant so that was a big step forward, I think people will be very pleased when they go down to Wade's Beach next year and they see that, it came out really nice, this past year, if you go across the street, we haven't done the project yet but in the midst of

stepping up to where Brian is, gonna take the stoop out across the street, rip it completely out, raise it up, put a ramp in for wheelchair accessibility so that building will be ADA compliant; the Legion Hall; I'm sorry, what did I say, yeah at the Legion Hall, so there won't be a step, that will be flush right up to the thing, of course, the doors have been changed and there are several other major things going on inside the building which will really kind of dress up the Legion Hall and Youth Center tremendously so it's an excellent use of the Block Grant, we started looking at projects that we might want to fund the following year, we have a couple of things in mind, one of them happens to be down at the Senior Center, there are at least six of our seniors that suffer from major loss of eyesight through macular degeneration, they have trouble reading presently, they do sell these magnifiers now that you can put down at the Senior Center so that when people come in, they will be able to read and see so we're looking into that, we're looking into several other types of; plumbing renovations; some plumbing renovations there as well so for the most part, that's kind of like the plan we looking for next year, the year after that I think what we're really gonna do is, thanks to the support of the Town Board and the ADA compliance movement forward, we're gonna take a major look at the two major at the two buildings to our north, particularly Justice Hall first and then Police Headquarters which needs some major ADA work done but we'll know better of what has to be actually done, we'll actually have a plan within about four or five months for ADA compliance for the entire Town, and that's the step number one, is to have a plan in place, step number two of course is to, and we've already started on that doing everything we've been doing has been ADA compliant so we're gonna try to continue along that vein and pick off these projects one after another, trying to get ourselves, it won't be limited to just physical access, we'll take a look at, when we get into Justice Hall, all those who are visual impaired, who are hearing impaired and other things that are going on there as well, so that kind of brings us up to date on those block grants, I will say that surrounding towns do get you know, considerably more money than we are but we need to, to step up our game and ask for additional money to support these bigger projects, I think that thirteen thousand, fourteen thousand dollar range will help us with what we're doing, you know, next year at the Senior Center but to do these other kind of projects, it's gonna be substantially more money.

The Supervisor opened the hearing for all to be heard concerning the use of said funds.

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 Eric Hecker, 4 Tuthill Drive, for permission to relocate the Pufahl mooring number C-802 in Coecles Harbor to a position 120' southwest off applicant's dock at a location designated as latitude 41.075863° north and longitude 72.294085° west in Coecles Harbor.

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 November 2nd and voted six, zero, one, the one was Mike Anglin cause he's the installer of the mooring so Mike, whenever he's tied into installing the mooring, he abstains from the vote, so it's six, zero, one to approve, 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 5:15 p. m. and reconvened the recessed public hearing on the proposed Local Law concerning Yard Sales.

The Supervisor explained that we had a public hearing three weeks ago, we heard from the public, both sides, for and against and we felt that we would take some more time and get some more input, we had it on the agenda for the last three work sessions to speak, no one came but we did get a number of letters.

Correspondence included the following:

1. An e-mail from Charlotte Ryder suggesting the ability to start the sale before 8 a m.
2. An e-mail from Richard Zaun stating he is against passing this law which he feels is unnecessary and will not solve the problem caused by the homeowner on South Midway Road.
3. An e-mail from Craig Wood making certain suggestions and stating that he feels that this law is unnecessary and will not solve the issue.
4. A proposed different Yard Sale Law from David Hoffman to replace the one presently proposed.
5. An e-mail from Kathleen Minder recommending certain amendments.

6. An e-mail from David Gentile requesting that the Board make effective use of the laws we already have that would apply.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I am Susan Williams and I would like to speak but first I would like to hear the previous correspondence ___ ; I think it's on the record; I did not bring that in; Zibby Munson and I wanted to say that, and I live at 36 South Midway Road across the street, I wanted to say that we had a conversation, Susan and I and I told her that we, that I, I can't speak for others, that I had nothing against yard sales whatsoever and I told her that we, I at least. that I have nothing against yard sales whatsoever, my objections have been the mess that's left afterward and I said to Susan, you know if you were amenable, nobody would __ or something and then you could put what's left behind and she said well if only I could get a dumpster, I get she is incapable of taking care of, so that's the extent of my talk; my name is Susan Williams, I 've tried to get rid of the stuff myself; I hope I'm not putting words in her mouth but Susan felt that her yard sale is not the problem but it's one that at 37 South Midway Road; and this whole yard sale regulation proposal has been about my messy yard, the yard sales are not the problem, it's the mess in my yard, as you once said to me when we were having a conversation before and I asked you questions and you said I couldn't speak to you any more and I had to go through the Town Attorney, I'd just like to say, as Supervisor and me a constituent, I find this despicable, you might ____ you have continually ____ and to this day ___, I also find you despicable, I also think __, the only person who has responded to my e-mails in a timely fashion and I have evidence of this, it is not my opinion, I have evidence of all of these things that I am saying, it's Bob DeStefano and I want to say that he is a fine and decent man and all of my questions he has answered in a respectful and kind and timely fashion as has Amber Williams as have neither of you, especially you, as a constituent I resent that you have never replied or addressed as to what your issues are, the issue is not a tag sale, the issue is my messy yard, having no __ does not and is not gonna solve that problem at all, as far as I can tell, most of the community, it was several years ago, a lawyer from New Jersey, I don't know her name, tried to get my neighbors to sign a petition and none of them would so you're constant __ at my neighbors __ even my neighbor here has no problem about yard sales, my neighbor John Moore __ has no problem with yard sales, my neighbor on the other side said nobody has problems with yard sales, my messy yard is the issue, there are other yards as messy but you focused on this and I think it's ridiculous, is this a democracy or is it a dictatorship because the majority of people do not want yard sale regulation and if you don't believe me, why don't you put it to a vote instead of dictating what goes on in this Town of which there is far too much, this is one person with a very messy yard and you're focused on yard sales and damaging everyone and taking away personal freedom for one man's indebted and when I spoke to you Mr. Siller you told me that there were three people who constantly complained, one, two, three, that's not even a small percentage of the Town of Shelter Island and I have to say that I don't know what your motivation is Mr. Colligan, I don't know but it's certainly not what the Town wants, and if every letter in the newspaper has been against it, just now it was two against, two for regulation, there were four people of the six correspondents who do not want the present tag sale regulation that you have and two were okay, so that's a majority, four people out of six don't want your regulations, is it a democracy or is it a dictatorship, that's my question to you, also, what is your motivation Mr. Colligan, I can't see if the Town doesn't want, if the majority of the residents don't want it, are you giving some personal favor, is there some bribery going on, this is the question; you're getting a little carried away; I'd like to know what your motivation is; can I answer you; no, I'm asking his motivation; I can speak for myself, if you remember correctly and back in mid July, the night before I went in for my surgery, you sent me; Jim, can you speak up, I'm sorry; alright, can you hear me now, yes, good, thank you; in mid July I wrote you, because I was advised by this Board not to engage you and not to respond to your e-mails, that's why I did not respond back to your e-mails but I did send you a letter of apology, an e-mail apologizing for that Susan, saying that because everybody that has responded to me in e-mail fashion, I have responded back to and I felt and I would say this publicly, I felt guilty about not responding to you but I think that some of the things that you were directing to me were and I don't want to go into them and say exactly what, a slow and painful death is that what; that's fine; do you really want to wish that on somebody, the day before surgery, well you know there's a limit to what people are gonna be able to take, I still after that by the way, have no animosity, there is no hidden motives, the only thing that I was elected to do and whether it comes to you know, barking dogs or the Cobbett's Lane cell tower or the people at Bootlegger's, when people in an area contact you and neighbors have and I'm not gonna throw anybody under the bus in terms of neighbors who contacted me saying when is enough enough and we're trying to, and we did, the Supervisor himself offered to go over and held clean up and offered for that, Tommy Cronin tried to do the same thing, the Town made gestures

on behalf of our medical community here trying to contact you and saying, and by the way, I would come over and help myself if you would allow that, I have no animosity one iota to, I have never met you other than right now, it's the first time I've been as close to you as this and I think if you go back and really, I wanted to if I have a couple of seconds, I can resurrect that e-mail I sent you but it was a sincere apology and the very next day you came at me like, you specifically asked me what my objections were and by the way I just think that whether it's the three instances that I gave you, whether it's Bootlegger's, the barking dogs or the cell tower, people around the Island may or may not have an opinion until you are directly involved in a situation so I don't think that we need ninety or a hundred phone calls, I think if the vast majority of people were concerned about it to live in that immediate area you know, are concerned about it, we try or we're trying to change it and we're trying to help you, we never came at you in any way, shape or form with any type of bullying or hardnosed thing, we reached out, I can only speak for myself and the Supervisor, we said we'd do anything we possibly could to help you and assist you in terms of trying to clean this up; I'd like to correct what you are saying; alright you sure can; first of all I've been reaching out for years, for years I've been trying to have a conversation with you and did not, __ you said you've been advised by the Town Board not to speak to me, you never did that, for years you never answered, then when you did send your apology and you said you'd get back to the issues, you never did, you apologized and then you did exactly the same thing that you always do, in terms of Supervisor Siller trying to help me, he sent some people over who, I had a bunch of stuff ready to go to the dump, they never took it, he had three large men who stomped around in my beautiful garden in the back yard, when I asked them to take that stuff, they said ___ clean up the yard and then they didn't take the things that were left, when I called Supervisor Siller to say what had happened, he laughed at me and then he said oh well they're not very user friendly, I'll send you some who are more user friendly which he never did, to me it seemed like a tactic of intimidation,when the last time that I spoke to him, he told me I could contact him again, so I was asking very civil questions and you were the only one I had ever said anything uncivil to; can I respond to that; not yet, so he never sent anybody else over and then someone, I'm assuming it was you and don't tell me there wasn't a tactic of __ because I had Arthur Bloom show up at my front door without wearing a mask, knock, knock on my door, pounded on my door, demanded that I come to the door, the man that had come to the door just a couple of feet away from me without a mask and said he wanted to go around my yard and that I had two unregistered vehicles in the yard which were against a policy apparently and I told him that I had been trying to get them registered but I kept, the DMV was not open due to Covid 19 and then he wanted permission to go through them, I've been trying to get the one car registered but I kept, they needed more information, I kept going back and forth, that has been corrected, I've taken my yard sale down, there's what's his name that came over with the posting, he wanted to contact my eighty-nine year old mother in Missouri about this, which she finally did even though the post office box is the same as mine, contacted my, did not tell there have been tactics of intimidation because Arthur Bloom showed up without a mask pounding on my door and there have been __ of intimidation and Mr. Siller who wanted to help me, never sent over any __; can I address that now; yes, and I said we were willing to help you; __; let me finish, you talked, now let me talk, I said I was willing to help you, out of my pocket with my men, we came over, I sent three men over, we walked the entire property with you, you showed us what to do, I left, I came back an hour later and my men were gone, I called them up, what happened, she changed everything we said, she wouldn't let us do this, she wouldn't let us do that, you and I spoke, I said I would send somebody else that would be, my guys are funny, they know what has to be done and when someone gets, they chose to leave, they thought it better to leave, we were gonna meet again, you and I spoke on the phone, you called me a liar, you said I had my own agenda and I told you that; that's not true; that is true and that is when I told Bob DeStefano that from now on you do all the talking with Miss Williams; I never called you a liar; yeah you did; you told me that three people had complained; you called me a liar when I said; that's ___; this is what you said Susan, you said what's your motive, I don't believe you, why are you trying to help me now and I said; that's not true; it is true and I said because I'm in office now and it's a problem now, I'm trying, I said this to, this is exactly what I said, I said out of the goodness of my heart I'm trying to help you and you said you're a liar, I don't believe anything you say; none of that is true; and I hung up the phone, I hung up on you and I told Bob DeStefano from now on you deal with this; I never called you a liar; it's your word against mine; yes it is and when you showed up at my house, what did I, I said am joyous, I am happy; yes you did; __; yes you did and we __; I asked them to take the garbage, that is what we had agreed on, they went in the back yard and were stomping around my garden and refused to remove the garbage; first of all, they're gardeners, they know what they are doing, they weren't stomping around anywhere; they were, you weren't there; I know my men; alright, and I was like what __; let's move on; Susan, Susan may I just say one other thing, three weeks ago when we were sitting in this very room and we were

on this issue, I was the person that you thought I was so motivated to shut this thing down, I was the one that brought up the fact that I think we needed to wait and get additional info, we got some great feedback from people about you know, moving the thing, there was no great desire on any of the five of us on this Town Board, of which four are represented today, and Amber, there was nobody that was dying to run out and do a garage sale law, there was no, there was simply, if we could find another way to clean up this issue and this problem and it would go away, we would tear up this law and just move on, that, that, that is our sole purpose in life, it's not, it's to resolve any issue or a problem in a neighborhood, the other one thing that I wanted to say, it's over the course of the summer on the weekends, the road is not all that wide, when you, when you were putting stuff right to the edge of the road, there was not a place for people to park so when people, when you realize, they would stop in either the southbound or northbound lane, they pull off a little bit but they were actually, the car, the vehicle is mostly on the road, we thought that represented a safety issue and we were concerned about the safety of people that might be ten, fifteen, twenty minutes going through the yard sale and leaving their vehicle out on the road, that was a concern, so you were asking for our concern; well you should have communicated that; well I think we tried, at one point we tried; I've been ___ , I've been trying to have a meeting with you guys for months, for years with you and for months I have suggested we have a meeting, with my neighbors, with the Town Board and discuss things which you have not done, I have many times said let's have a meeting, I have the e-mails to prove it and I have not been allowed to have a meeting, tear up the yard sale resolution if you're so willing to do so and we can sit down and have a meeting and work this problem out, I suggest and I move that you do that; I suggest that we resolve the problem first; let's sit down and resolve the problem first and if you need to go back to __, you can do that but tear up the __ resolution and let's get this done in a humane and neighborly way; amen I say to that and I; we're on the same page; we're absolutely on the same page; ___; ___ no problem, Susan, when you don't know somebody and again you're just, again you're judging somebody, and I apologize for one big thing, you know that I'm a person of not few words so anybody that e-mails me, I, or phone calls at home, I try to get back to them immediately, the Town Attorney is saying don't engage, don't engage, I'm following, you phrased them but I'm following what the Town Attorney said, don't get involved with this, but then I did it on my own, finally in my frustration, I said you know what, it's not me and I apologize, when you said the next, by the way when you wished me that slow and painful death, I was going in the next morning to have triple __ hernias; well you survived; it wasn't a big deal but it was just the kind of thing that I said you know what; what did I say to you, I said you're the kind of person, you're a bully, you like to toot your own horn; no, no, no; you bring out the worst in me I guess; no, no; and that is why I wish I could say I wish you well but I don't; okay, well you're entitled to that opinion, that assessment of me and I'm praying to God that a lot of people don't think the same way, but I think I'm a pretty fair person and a damn good Christian, thank you; __ that we are not going forward with; we're gonna hear from everybody else first, okay, anybody else in the room; one quick thing, my name is Craig Wood, you have heard what I have to say about this and two thank yous, one is for the Board for leaving this open on Jim Colligan's suggestion, I very much appreciate you having it open and we have a lot of dialogue before we made the law and hopefully we'll get to something that resolves the issue, two I want to say thank you to Albert Dickson for standing on his convictions and realizing that democracy does not take a unanimous decision, he can be against this and still be part of the Board and speak his mind and I appreciate that we can do that and I want to encourage all of you Board members to do so, and thank you; thank you; and that last comment about Councilman Dickson, honestly the appraisal of these five adults that we have on this Town Board get along very well and one thing that we pride ourselves on is respect, there's no man I respect more than the Supervisor right here so and the three other people that I'm fortunate enough to work with plus the people in this Town, I'm very fortunate and very lucky to be able to work with those people, I have no animosity for anybody, I'm not one of those kind of people, I'm not one of those kind of people by the way Susan that I ever, ever will carry a grudge, I'm just not a, I'm just not made up that way; if anyone out in Zoomland wants to; please raise your hand and Craig will unmute you; my name is Kathleen Minder and I'm in Zoomland, I wanted to go back just one step and talk about what exactly is our rights as neighbors to have in our neighborhood and one of the things that I wanted to talk about is, is the zoning law because that's what's really behind the problem here, we're in C zone, it's a medium density residential development which is carefully controlled by residential uses, and carefully controlled by residential uses are the ones that are being __ there which is far __, nothing that looks anything like what we're talking about with the house in question, and for any difference, any changes in that particular zoning concern really requires a permit __ made by the Town Board which is partly why we came here, because we don't have any other way to do this, 133-18 says that home business offices and home occupation are, as long as they don't have outside storage areas, equipment or __ and __ with a home

occupation ___ in zoning or residence containing a home occupation to appear as a business establishment and the activity should not be __ or other means of __ and that's really what's, we're talking about something different than __ for many years of talking to you Susan, it's different times and different ways and best way you could as neighborly as we could and it hasn't changed in well over ten years and that's why we were __ and decided to deal with it as a yard sale because there is definitely sales going out there so I just want to be able to say that there's a lot, it's been a long time, it's been a big mess and it's been a lot of sales; well to answer that I can just say that yard sales regulation is not gonna clean up my yard, really, I haven't had a sale since I was __, I'm well aware __ run a business, I don't feel I was running a business, I'm trying to get rid of stuff, I've got storage lockers full of stuff and I was just getting rid of stuff and I have tons of stuff and lots of people like it but I understand that __ in the neighborhood, I want to move forward with my neighbors, I don't understand that you're __ on my yard which I have to say, the house right next door to me has sold twice, the people that live there have come out and talked to me and __, the house down the road just sold and another house down the road is for sale, you might want to just check the pricing or something, I don't think my yard is responsible for your house not selling, however that's another matter, I am willing to work on getting that yard tidy but yard sale has nothing to do with it, my yard is a mess, I suffer from hoarder's disorder, I have suffered from __ depression, I am completely broke, I can't even afford four hundred dollars for a dumpster so the issues are not the yard sale, there's other issues ___ has nothing to do with yard sales which I haven't had since I was notified by Tehan you know, that I was running a business at my home, okay, we have talked to you a number of times; actually you have never talked to me; I just want to say something; okay; __; ___; Susan our agent has shown the house to people who have said they have children who said they couldn't live across from your yard and they said they didn't want to live near an extension of the dump and they clearly had said they do not want to buy our house because of your yard; if you say so; anybody else; David Hoffman; thank you sir, I disagree with the premise that this discussion is either unimportant or related to a single individual or a single circumstance, the fact that this discussion is going on suggests that this is an issue on the Island and that all residents would benefit from a resolution of what is permissible and what is not permissible, and after the last meeting that I attended I took Supervisor Siller up on his suggestion that anyone interested, another approach to the Town Law, offer some suggestions, and so I've done so, I sent to Supervisor Siller several days ago a new proposed law that says simply, residents of Shelter Island are permitted to hold yard sales in a manner that is consistent to this local law which is intended to balance interests of residents, their neighbors and the community, I think that's what we need and __ of yard sale activity, __, sporadic, occasional and the other more frequent, so it says that anyone who wants to have up to nine days of yard sales a year can do so in an unrestricted manner not affected by closed door but with the intention that that activity will simply be regulated by owner ___ laws and anyone who wanted to have more than one days of yard sales a year could do so subject to regulations that I proposed which are intended to balance the interests of residents, their neighbors and the community, the structure of the law, the number of days, the number of requirements are obviously subject to discussion and negotiation and reconciliation but I think something ought to be done for the benefit of the entire Island and not with regard to any one person or one situation, that said I offer my proposal as an alternative to what has been published by the Town as the proposed local law on yard sales; thank you; may I comment to David, David, everyone knows this is about my yard and my yard exclusively, I think that, is it not about my yard, yes it's about my yard, it's not about the Island wide situation, it's not an Island wide situation; at present; and it hasn't been, I think it is unfair to propose any legislation, predominantly most of the Town is against it from what I can tell and whom I have spoken to so I mean, so I'm not in denial that it is all about me, it is all about me, not that most things are but this is definitely all about me and I'm not happy with my yard, this is not something that I am proud of, this is not something I'd like to continue, I simply am incapable of doing it on my own, therefore I need, I think, you know you can look at your legislation but I think the idea to put it on hold for the time being, clean up my yard and then address it, you know, in my opinion it should be a vote put to the Town, not by the Town Board but that's my opinion but I am for personal freedom and I don't think the effect of my yard should affect everyone else's personal feelings and that's what I have to say about that; first of all in closing I would like to say that I have a different perspective about you, just meeting you for the first time, it takes a lot of guts to come in here and say the things that you said, second of all, as I said three weeks ago, I want to get it done right and the first thing that we need to do rather than focusing on the law, we have to help you, with the Supervisor's approval and if we can help you in any way, shape or form, let's focus and deal with that, if that comes to a satisfactory conclusion, then I think we can sit down and I don't disagree with you that, and I don't know what the percentage of people are but there's a lot of people on this Island that don't want overregulation, they don't want you know, there are people that sell wood, the flowers,

their tomatoes, they have tables out on Town property but people come up, there's a little area to park, they come and put a couple of dollars or ten dollars in a box for their flowers and tomatoes and off they go, those kind of things are you know are unique to Shelter, it's part of the history and in my right, a person that might be living alone and __ a couple of times, the fact that they can grow tomatoes and flowers and have wood for sale, it's a wonderful thing, I don't think that any of us have a problem with that so I think it's been a very productive meeting, it started out a little rough and again I will further apologize to you in public and you are right, when you came back and said I shouldn't have listened to what I was told to do and I should have been man enough to put that down on paper and state specifically what I __ but I was trying in some shape or form, represent the people that were finding it difficult to continue with the situation, I was ___ without a Town, I'm not a bully so, this man right here, I would have gone to his __ and we have a good Town Board and so just as long as you stay in this frame of mind I think we ___; before we wrap this up, does anybody want to say anything, David; hi, I hope you remember me from last time, I attended the working session, I'm liking what I hear tonight, this is more what I expect to hear on Shelter Island instead of a new law, just to get __ our ___ real good but it doesn't __ a solution and I expect that you're gonna probably bang heads a little more and I hope that you will stick with it, the last thing I think we need is more regulations and from what I hear Miss Williams saying, she ended her yard sales so the regulation that we were talking about will do nothing to change that situation and I think the neighbors are looking for a real solution, not you know, passing a law __ seems like a possibility, there are as someone else mentioned, there are some laws especially in 133 that you should __ before creating new laws, I'd like to not get __ 133-10 is a __ law, especially 38 and 39 are ___ under that law, they're similar to the penalties that you are proposing in the yard sale law so I think that the yard sale law would be duplicative of the existing laws without any benefit and somehow if you get to a point and you want to cancel a law, a yard sale law, I think you should include a sunset provision, then after a year it goes away but any violations could be prosecuted and in the event that you find that __ a provision, a sunset provision but you need to build that in in the beginning rather than try to shut something down once it's been started, I did have a couple of questions, I mean ___ last week a __ asked how this law would solve these problems and that never really got answered but I think maybe we're beyond that now and you're not gonna adopt the law right now, I'm not so sure how this works, where __ the draft of the law and what's the schedule for, how do the work sessions work cause I don't know how that; the draft of the work session is on the Town's website and the work sessions are every Tuesday at one o'clock; and we can __ at them; yes; they are at one p.m.; either virtually of at one p.m. or in person; okay; and I, maybe I, I'm fairly __ with technology, I could not find __ on the website, can you tell me __ about that; it's under Town topics; Town topics; under Town topics it is, go to the home page on the website, under Town topics, it's there and it's been updated by Bob; I hope you don't pass the law; Lynne; Lynne Weickert, 13 Sylvan Road, I just want to say, first of all I'm sorry this has become so acrimonious, I feel for the Town Board, I think you guys do a great job and I'm sorry that we have to go through this but I do think we have to keep the neighbors of Miss Williams in mind, this has been going on for a very long time and if you can't clear it up in the next few weeks, then we need to do something more, to table it now, you should really give yourself a deadline, this has to be cleared up in a month or figure out another way, I don't think you should leave the neighbors hanging for a long period of time, that's all I wanted to say; thank you, Laura; hi I'm David's sister and I'm glad you're not passing the law and I wanted to volunteer to help the woman and I'd be glad to do that but I volunteer; thank you very much; anybody else; I'll join that in volunteering; thank you, Susan what I'd like to say is; is there somebody else; yes, this is Stephen Gessner, I'll make it brief; sure; my wife did the speaking before, I'm pleased to hear what's been going on in terms of conversations about solutions that don't necessarily have a law, I hope as the last speaker said that this will be moved expeditiously, that this thing has been dragged on a long time and I just want to explain why we're here, why the neighbors are here, we are here because they told us that they couldn't do anything without a law and that's why we ended up drafting, pushing for the law, granting provisions to the law because that was the only way to get some resolution, it sounds like __ to hear that, that's all I wanted to say; I'd like to say one thing too, is that 133-10 which prohibits running a business is what I've already been stopped with by the Town so in terms of it being a redundant law, _ some ways __, there are certain __ zoning, businesses in the house but, so it's already prohibitive, there's already a law in place that prohibits the running of a business, it's just that classifying tag sales is not __ but as I said, I haven't been having one since they landed the 133 on me; okay, Tommy Cronin, I see you are here, could you make yourself visible please, Tom are you paying attention, thank you, Susan I know Tom has been helping you out, cleaning as he could, when he could, as a matter of fact, I sent over two of my guys from the store to help, what I'd like to do is re-offer my offer, come over with my trucks and my guys to work with you through Tommy to get it cleaned up; well I would like to have that discussion you

know but I'm not, I mean Tommy did come with a truck and we got some stuff off and then he told me __, I would prefer a dumpster because there is this whole __ long conversation; okay, the reason I offered was, cause I'm willing to do it as opposed to Town doing it, I guess it's a decision the Town Board would, in other words if we do it for you, we have to do it for everybody is what I'm saying, if we have to pay for a dumpster and we have to send the Highway Department; well I mean donations could, I'm sure there's plenty of people who would like to, it wouldn't have to be Town money you know; yeah I'd join you; I think there's plenty of people who would, I think that we should sit down and make a plan, have a meeting and you know; okay but as Lynne Weickert said, it has to be sooner than later; absolutely, within thirty days we've got; okay, who would you like to meet with; I mean I have a huge pile, a huge pile of garbage that is in the driveway right now, you can send a truck and the boys over tomorrow as long as __, that would be a huge improvement, send them over tomorrow, I've got a gigantic dump truck full of stuff; just so we're on the same page, I have witnesses; absolutely, we're not just gonna take your garbage and leave, we're gonna address the problem; well the first thing is take the garbage; right; and then work from there; right; I've got the garbage ready to go; I don't know who said that but __; Albert; that was Albert; it was me; Tommy Cronin, yeah Tom; one of the things is we can actually get rid of what we consider garbage and let's not consider garbage Susan if we can move to the back yard, that would really take the heat off you immensely and I think that will be a fantastic start, get rid of what you don't want, everything else goes in the back yard if that will be acceptable with you obviously; yes that would be acceptable, I've actually __ there's very little left in the front yard that you know is disposable and that could totally be moved to the back yard; I'm not gonna lie, it looks better, I know you've been working on it; I've been working on it; :I know that; so yeah, you know, I'm not opposed to that; well I think we've come a long way, I thank you very much for coming in person; it took a lot for you to come here, I appreciate that; Mr. Supervisor if you need me, I'm __; thanks Tom; and I want to thank you Tommy because you were a wonderful help so far and I think you're a terrific person; okay; I do too; okay __ that resolution; we're gonna recess this hearing, we're not gonna close it, we're gonna recess it, okay and we'll address it if we have to, okay; okee dokee; I'll be in touch with you, probably Monday, alright, thank you everybody that came to this; I have another issue that I want; okay; that has nothing to do with my yard; okay we're gonna recess that hearing and we're gonna reconvene the hearing on the Cape Horn boat lift hearing.

Councilwoman Brach-Williams joined the meeting at approximately 5:55 p. m.

The Supervisor declared the public hearing recessed at 5:56 p. m. and reconvened the recessed public hearing to be held as advertised 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 Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: we haven't gotten anything; you're still waiting; yeah, that's on Cape Horn; yes; okay contractor Jack Costello, Jack was there and he hasn't submitted documents or the new plans and a hardship letter, so no vote was taken so we're waiting on that one, so we'll recess that one; do you want to recess it for a certain amount of time or do you want to keep it for every time; Jack kind of apologized because he was involved with so many other things but he said that he's gonna supposedly by the December meeting, would have it; we'll open it then and then we'll close you; okay.

The Supervisor declared the public hearing recessed at 5:57 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 called for a report from the Waterways Committee of the Town Board, which was as follows: yeah, same thing, the contractor Costello Marine hasn't supplied the requested documents, a hardship letter, the survey which he is gonna do showing mean high water and setback measurements so no vote was taken, he's working on both Carroll dock and Cape Horn, those two things are a priority for the December meeting; okay so we're gonna recess that and if we don't have it, then we'll close it; right.

The Supervisor declared the public hearing recessed 5:58 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 539

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

"Whereas", Marina Hahn, 70 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.073735° north and longitude 72.28111° west, and

"Whereas", a public hearing was duly held on the 13th day of November, 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 installation of a mooring in Coecles Harbor at a location designated as latitude 41.07352° north and longitude 72.28138° 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. 540

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

"Whereas", Nicholas Argyrou, 16 Great Circle Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.08574° north and longitude 72.31213° west; said location was formerly occupied by the C-3472 Clark mooring, and

"Whereas", a public hearing was duly held on the 13th day of November, 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. 541

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

"Whereas", Maria and Vincent Testa, 8 Grace's Lane, has petitioned the Town of Shelter Island for permission to remove 755' of existing bulkhead and construct 755' of new bulkhead, in-kind, in-place, and

"Whereas", a public hearing was duly held on 13th day of November, 2020, 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. 542

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

"Whereas", a public hearing was duly held on the 13th day of November, 2020, 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 2021, 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 Senior Center and Recreation Center.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 543

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

"Whereas", Eric Hecker, 4 Tuthill Drive, has petitioned the Town of Shelter Island for permission to relocate the Pufahl mooring number C-802 in Coecles Harbor to a position 120' southwest off applicant's dock at a location designated as latitude 41.075863° north and longitude 72.294085° west in Coecles Harbor, and

"Whereas", a public hearing was duly held on the 13th day of November, 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 Colligan, the meeting was adjourned at 6:12 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

November 17, 2020

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 November, 2020, via Zoom. Town Board members present were Councilmen James J. Colligan, Albert K. Dickson and Councilwoman Amber Brach-Williams. Supervisor Gerard F. Siller was absent. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and eight persons were also present.

The Supervisor called the meeting to order at 2:01 p. m.

RESOLUTION NO. 544

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

"Whereas", pursuant to Section 108 of the Town Law, a public hearing was duly held on the 4th day of November, 2020, on the preliminary budget for 2010, at which time all interested persons had an opportunity to speak in favor of or in opposition to any and all items therein contained, and

"Whereas", this budget has been available for inspection by any interested persons at all reasonable hours, and

"Whereas", the Town Board has revised the preliminary budget, now, Therefore

BE IT RESOLVED, That the preliminary budget, as amended, is hereby adopted and declared to be the annual budget for the year 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.

At 2:04 p. m., on motion of Councilman Bebon and seconded by Councilwoman Brach-Williams, the special meeting was adjourned. This motion was carried.

Dorothy S. Ogar
Town Clerk

December 4, 2020

The regular meeting of the Town Board of the Town of Shelter lsland was held in the Shelter Island Town Hall, Shelter Island, New York, via Zoom, on the 4th day of December, 2020. Town Board members present were Supervisor Gerard F. Siller, Councilmen James 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 people were also present.

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

Salute to flag.

The Supervisor made the following statement:

This is the December 4, 2020 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 Kathleen Gooding thanking the Town Board for restoring the funding in the 2021 budget for the Historical Society.
2. An e-mail from Stephanie Franks thanking the Town Board for recommending an $8,000.00 rebate for the installation of a low-nitrogen sanitary system for her property.
3. An e-mail from Edward Shillinburg resigning from the Community Preservation Fund Advisory Board and the Water Quality Improvement Advisory Board effective December 4, 2020.

RESOLUTION NO. 545

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

"Whereas", applicants Peter and Michael Mankins propose significant construction within vegetative buffer and adjacent regulated area at 26 Margaret's Drive, Shelter Island, New York and Zone A-Residential (Near Shore and Peninsular Overlay District) and bearing SCTM#0700/18/2/46 (the "Premises"); and

"Whereas", the proposed project entails the repair and reconstruction of existing deck, new stairs, demolition of existing sunroom & pool, new construction of new sunroom, new trellis over part of deck, relocation of HVAC equipment, removal of existing front porch with replacement of new larger porch, replacement existing wood tie walls and retaining walls, and new steps; and

"Whereas", the proposed construction includes the following additional work at least partially within the 75' vegetative buffer: demolition of existing sunroom and pool, new construction of new sunroom, new trellis over part of deck, removal of existing wood tie walls and new steps; and

"Whereas"**,** the proposed construction includes the following additional work at least partially within the 100' Adjacent Regulated Area: a portion of the demolition of existing sunroom and pool, a portion of the new construction of new sunroom, relocation of HVAC equipment, removal of existing front porch with replacement of new larger porch and a small corner of the proposed front stone patio; 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 dated February 26, 2009 (#1-4732-00343/00003); and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on November 13, 2020, 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 adopted the findings of the Planning Board and Conservation Advisory Council; and
2. This project, as proposed, will be constructed mostly within the same footprint as the existing structures; and
3. The proposed removal of the pool and hot tub will decrease the demand for water; and
4. The proposed project will not have a negative impact on the quantity and quality of groundwater; and
5. The addition of leaders and gutters will improve the existing drainage; and
6. There are no practicable alternatives which allow the project to be constructed outside the regulated area due to the size of the lot and the percentage that falls within the regulated areas; and
7. 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. The above-described project shall be constructed as depicted on the survey of Nathan Taft Corwin dated January 2, 2007, last updated September 9, 2020 and the floor plans and building elevations prepared by Studio Modh Architecture, P.L.L.C dated July 1, 2020; and
2. Construction procedures and erosion controls including the anchored installation and maintenance of silt fences with 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. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; 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. Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and
12. 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
13. 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. 546

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

BE IT RESOLVED, That the annual meeting of the Town Board will be held at 1 p. m., prevailing time, on Wednesday the 30th day of December, 2020 in the Shelter Island Town Hall, Shelter Island, New York and the 2021 Organizational Meeting will be held at 1 p. m, prevailing time, on the 5th day of January, 2021, in the Shelter Island Town Hall, Shelter Island, New York.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 547

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

"Whereas", pursuant to Section 73-5.C of the Town Code, the fee for each Town garbage bag shall be determined by resolution of the Town Board, now, Therefore

BE IT RESOLVED, That the prices for bags is hereby amended to be as follows:

mini bags (15 gallons), an increase from $1.50 to $1.75 per bag,
small bags (30 gallons), an increase from $3.00 to $3.50 per bag, and
large bags (45 gallons), an increase from $4.50 to $5.25 per bag; and

BE IT FURTHER RESOLVED, That said prices shall become effective December 5, 2020.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 548

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

"Whereas", Brian Sherman, Commissioner of Public Works, has requested an increase in prices of certain materials being disposed of at the landfill, now, Therefore

BE IT RESOLVED, That the following prices are hereby increased for materials being disposed of at the landfill, to wit:

C & D account #A2130A increase by $40.00 to $240.00 per ton;
tires account #2130D increase by $40.00 to $340.00 per ton;
MSW account #2130I increase by $40.00 to $240.00 per ton;
brush account #2130J increase by $10.00 to $70.00 per ton;
concrete account #A2130K increase by $10.00 to $50.00 per ton;
concrete mixed (new account) $60.00 per ton;
asphalt (new account) $50.00 per ton;
stumps account #2130M increase by $10.00 to $75.00 per ton;
fill in account #2139Q increase by $6.00 to $10.00 per yard;
wood chips account #2139J increase by $10.00 to $35.00 per ton;
minimum charge account #A2655I increase by $.50 to $2.50; and
leaves commercial (new account) $20.00 per ton.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 549

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

"Whereas", the Commissioner of Public Works of the Town of Shelter Island is applying to the Department of Environmental Conservation for a permit concerning the replacement of the bulkhead at Congdon's Creek dock, and

"Whereas", a fee is required for the filing of said applications for said projects, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sums of $200.00 from the 2018 Public Works A1490.497 bulkhead account to the Department of Environmental Conservation for said project application fee.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 550

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

BE IT RESOLVED, That the Superintendent of Highways/Commissioner of Public Works is hereby authorized to advertise for bids for the following general services for the calendar year 2021:

electrical
HVAC maintenance
tree work, and
asphalt.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 551

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

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for the installation/replacement of groin(s) at Shell Beach.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 552

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

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for the replacement of the air conditioning system in the Police Department building at 44 North Ferry 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. 553

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

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for the installation/replacement of bulkheading at the 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. 554

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

"Whereas", the Police Department has received funds in the amount of $1,708.50 from PERMA for the Lexipol annual contract expense for the year 2020, and

"Whereas", the Police Department has also received funds in the amount of $566.66 from the County of Suffolk for auctioned vehicles, and

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

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

$1,708.50 increase to the 2020 A3389 PERMA reimbursement revenue account, and $566.66 increase to the A2770V Suffolk County vehicle disposition revenue account, to be funded by the aforementioned funds received, and

$1,708.00 increase to the 2020 A3120.491 Police Department contracts expense account, and $566.66 increase to the A3120.457 Police Department towing 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. 555

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:

$5,425.00 from the A1110.498 Justice Court security officer personal services account to the A3120.100 Police Department personal services account; and

$81.00 from the A3120.200 Police Department equipment account to the A3120.484 Police Department office and miscellaneous account;

$10,000.00 from the B1990.400 Part Town Contingent account, and

$2,132.00 from the B8660.100 Ordinance Enforcement Officer personal services account to the B8660.439 Ordinance Enforcement Officer 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. 556

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

BE IT RESOLVED, That 2020 general claims numbered 1803 through 1912 in the amount of $128,911.73, 2020 Community Preservation Fund claims numbered 25 through 27 in the

amount of $3,466.81, 2020 highway claims numbered 221 through 237 in the amount of $10,752.40, and 2020 West Neck Water claims numbered 35 through 36 in the amount of $6,091.50 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 4:51 p. m. the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Anthony DiNotte, 3 Mimosa Place, 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.

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

The Supervisor reported that the Waterways Committee of the Town Board has not reviewed this application, therefore the Supervisor recessed the public hearing at 4:52 p. m. and called to order the public hearing to be held as advertised on the application of Sheldon Kasowitz and Kathryn Huarte, 31 Westmoreland Drive, 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.

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

The Supervisor reported that the Waterways Committee of the Town Board has not reviewed this application, therefore the Supervisor recessed the public hearing at 4:52 p. m. and called to order the public hearing to be held as advertised on the application of David Rolfe, 3 Tuthill Drive, 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.

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

The Supervisor reported that the Waterways Committee of the Town Board has not reviewed this application, therefore the Supervisor recessed the public hearing at 4:53 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled Repeal Chapter 109 and Replace with New Chapter 109.

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

Correspondence included the following:

1. A memorandum from the Shelter Island Planning Board making several recommendations for the Site Plan Review.

The Town Clerk read the Planning Board report which was as follows:

MEMORANDUM TO TOWN BOARD

22 November 2020

Re: **Amendments to Chapter 109 Re Site Plan Review**

In the Augusts of 20109 and 2020, the Planning Board sent its recommendations in regard to the proposed amendment to the Site Plan Review process to the Town Board.

Planning Board included a number of significant "review process" recommendations and several "technical/administrative" suggestions.

We have reviewed the current Draft Site Plan Review code and offer the following suggestions.

1. We continue to recommend that applicants and the Town Board would benefit from the establishment of what we have termed a "pre-conference" prior to a recommendation of the scope and

scale of a formal site plan review, particularly in those instances where multiple Town, County and State agencies have jurisdiction. Our specific recommendation is that a conference or meeting that includes the Applicant and representation from the Building Department, Town Engineer, Zoning Board of Appeals, Planning Board and Town Attorney would help clarify up-front the nature of the review, (administrative vs full), and what steps and filings applicants would be required to complete in order to ultimately obtain permit approval. We further suggested that, particularly for larger or more complex applications, a liaison from the Town Board be appointed to help expedite Site Plan Review and related approvals by making sure that all required Town actions are completed on a timely basis and that potential problems or review requirements are clearly known in advance.

We favor the use of a simple flow-chart which maps steps to be taken by all parties to the review process.

2. We further suggested the criteria for triggering a Site Plan Review and the scope (administrative or full) of the required review should be part of the new review process. We believe that being clear and transparent about what will trigger a Site Plan Review will allow applicants to make better judgments about the scope of work and investments (Attorneys, Engineers, Architects, etc.) that will be required to obtain approvals. We note reference to objectives and determining factors for Site Plan Review in the resolution but do not see a clear set of triggers that cause a Site Plan Review to be required.

We suggest 109-4 as a starting point for a determination of a trigger for site plan review.

As a reference, the following is Section 109-4, Administrative Site Plan Eligibility, from the previous Site Plan Review Code:

A. In accordance with the procedures required by §109-5 for administrative site plan applications, the following applications, or any other deemed appropriate by way of the pre-submission conference, shall be eligible for administrative site plan review:

1. Amendments or modifications to previously approved site plans or legally existing structures, so long as:

a. The lot coverage is not increased or decreased by more than 10% or 500 square feet, whichever is less; and

b. The floor area is not increased or decreased by more than 10% or 500 square feet, whichever is less; and

c. The footprint of proposed structures and accessory structures does not deviate from the existing footprint of such structures by more than 10% or 500 square feet, whichever is less; and

d. The amendment or modification to the previously approved site plan conforms with the zoning requirements in place at the time of the application for administrative site plan review.

We also believe that clear criteria and clear triggers will reduce the risk of potential charges and litigation for discriminatory treatment of potential applicants.

3. We notice that the current draft has no role for the Planning Board either in helping to determine the need for and scope of Site Plan Review. We believe that the Planning Board and its advisors have significant and on-going experience with respect to navigating through the various agencies and levels of review. The Planning Board is routinely asked to help applicants understand filing requirements and how to navigate through New York State Department of Environmental Conservation and the Suffolk County Department of Health reviews. We recommend that a Planning Board representative should be part of the early pre-conference and should be part of the team guiding applicants through the various reviews.

4. We understand the attractiveness of a single Town Board resolution to include Zoning variances and approvals of Special, Wetlands and Site Plan Review Permits for a particular applicant. We understand that the Town Board has ultimate authority for approvals of variances and permits. We also understand the desirability of a single public hearing for obtaining public input for a particular application. But we suggest a closer look at the logistics as to how this will work given the variation in timing for review, and public hearing requirements, for Town, Zoning and Planning Boards.

We also noticed a number of "administrative" details that may require further consideration.

1. We see the references to timing of the various actions referred to as 10 day and/or 10 business days. We suggest clarification. Our proposed flow chart would be helpful in laying out submission and action timetables, and avoiding missed steps.

2. Are (10) business days sufficient for the Building Department to make their review? They previously had requested (30) business days.

3. We believe that (2) full sized paper copies and a pdf copy of the application should be required. Any PDF plan submission needs to be easily reproducible at their true scale. 109-10A and B note different requirements.

4. The Town GIS Viewer easily creates the Radius Map and mailing address list required for Public Hearing notifications. We do not believe an Architect, Engineer or Surveyor is needed for it.
5. 109-12B does not permit regrading without a Site Plan Permit but makes no reference to clearing of trees. The Appendix's 2C requires trees to be mapped but what prevents an applicant from removing tress prior to mapping and submitting an application?
One Planning Board Member questioned the need for Site Plan Review at all. He felt that it posed an anti-business sentiment making it harder for business on the island to do business. He points out the difficulty of running a business on a seasonal island with a limited year-round population. We respectfully ask that the Town Board seriously considered our comments and recommendations prior to the adoption of the proposed law.
Sincerely yours,
The Shelter Island Planning Board
Ian MacDonald, Chairman
Marcus Kaasik, Deputy Chairman
Edward Hindin, Member
Reed Karen, Member
Margaret Anne Larsen, Member.

The Supervisor reported that this report was written before Bob did some fine tuning on this and he wanted to remind everybody that as a whole the Town Board felt that the Site Plan was overly burdensome and this was an attempt to simplify it, we've had some experience ourselves with a couple of projects that just seem to languish and go on forever and ever so we're just trying to work with the Building Department and with the Planning Board and everybody else and especially with our residents to make these things work better.

Councilman Colligan reported that with that in mind, since that letter was written before this effort, do we have anybody here including our Town Attorney that has a report on what types of modifications were met, was there a lengthy discussion, were there any adjustments for the law in result of those meeting, do we feel like we have consensus from the Planning Board that we've gone in the right direction, not that that is a must but obviously there are quite a few concerns but the last one about the tree cutting was something that caught his attention but if anybody could report back right now, Bob; well there have been any number of modifications and alternatives over the past year and a half, I don't recall specifically which ones were done when, there's a lot of things like this with the Planning Board when __ each individual application, and who or what would be giving advice, the Planning Board or CAC or anyone that it is necessary for this, as far as the __, the need for that probably goes beyond a site plan review ___ to limit what people can cut, that would probably have to do with part of something else other than this; I just want to remind you that we didn't water this down, we're just trying to streamline the process; how about from the liaisons, how do they feel about the current legislation as it now appears; I'm looking at the memo to the Town Board and it's dated from the Planning Board November 22nd, we posted this for public hearing on November 13th so I think this is in response from the latest draft, I think they did go back and look at it; well obviously, Amber are you alone with the Planning Board or do you have someone else with you; no, not with the Planning Board; I would feel more comfortable listening to the recommendations of the Planning Board; I would say let's invite the Planning Board to the next work session and have a discussion then; I would say Gerry that I was looking at Tuesday's meeting but that might be too short a time to get ready for something of that nature but I would like to have it before the holiday, if it can't be done this Tuesday; let's give them a week, we can do it the 16th, the week of the 15th and instead of bringing the whole Planning Board, I don't know if just having maybe Ian and one other member, the liaisons, Bob DeStefano, Chris Tehan, the chief players, maybe have a preliminary meeting to look at it, maybe taking care of getting a lot of this done and then schedule it a week from Tuesday to see what kind of effort has been made ___; yeah I was gonna think of the same thing too as Jim and I was kind of wondering what the resolution process was, I think a meeting with Planning Board reps and Bob and I'll sit if if I can til we get the comments resolved and then we can project a common resolution at a work session; then we'll have to scrap this public hearing and republish and reset it; well why don't we recess it for now and see where it goes and then where we are; let's get it right; yeah let's recess this and meet with the Planning Board; by law if we make any changes, then we have to rehear it; well then we'll do it, but let's not jump to any conclusions; I second Albert's comments about let's get it right, if it takes another month, it takes another month but let's get it right; are you suggesting we close the hearing or recess; just recess it; okay; and the Planning Board meets next Tuesday evening so the timing is perfect for them to look at it; and it gives them a heads up, perfect.

The Supervisor declared the public hearing recessed at 5:08 p. m. and called to order the public hearing to be held as advertised on a proposed Local Law entitled Digitalization of Wetlands Applications.

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. There being no comments, the Supervisor declared the public hearing closed at 5:10 p. m. and called to order the public hearing to be held as advertised on a proposed Local Law entitled Digitalization of Variance Applications.

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

Correspondence included the following:

1. A letter from the Suffolk County Department of Planning and Environment, as follows:

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

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:12 p. m. and called to order the public hearing to be held as advertised on the application of J. P. Morgan Chase, 169 Ram Island Drive, for a wetlands permit to demolish the existing single story home and attached garage, remove basement foundation and backfill with material on site.

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:

Councilman Bebon presented the Planning Board report which was as follows:

MEMORANDUM TO THE TOWN BOARD

3 December 2020

Re**: J.P. Morgan Chase Wetlands application** 169 Ram Island Drive Shelter Island, NY SCTM # 700-10-1-20

Zone AA Residential reverting to A Residential Within the Near Shore and Peninsular Overlay District

We are in receipt of a Wetlands Application from J.P. Morgan Chase; 169 Ram Island Drive dated November 4, 2020. The applicant wishes to demolish an existing single-family house built in 1966 that protrudes into the 100-foot adjacent regulated buffer by 2.4 feet. However, curiously, keep a swimming pool with brick patio that lies mostly in the 75' regulated area.

The applicant has received a denial letter from the Building Department dated November 5, 2020 and a DEC Letter of No-Jurisdiction, 147320117-0001 dated September 9, 2020 indicating that the property is not subject to the provision of the Tidal Wetland Act or the Coastal Erosion Hazard Areas Act. The DEC LNJ is based on a *functional* bulkhead greater than 100' in length and constructed prior to August 20, 1977.

Planning Board members visited the site on November 16, 2020 and made the following observations:

1) The survey does not show the 75' wetlands or the 100' adjacent area setback lines. The referenced distance from wetlands on the survey is 97.6 ', which is the distance to a near corner of the house. This is also the same distance used in the application. Using this distance would suggest that much of the wood deck would remain. The application asks to remove 610 sq. ft. of wood decking, however in reality, measuring off the survey there seems to be more like 1,600 sq. ft. of wood decking. Are we to assume that 1,000 sq. ft. of wood decking is to remain?

2) According to Town Code 133-1, a swimming pool is considered "An accessory structure…" and an accessory structure defined as, "A subordinate use, building or structure incidental to and located on the same lot occupied by the principle use building or structure." The legal question is if the principle structure is removed (in this case the house) can an accessory structure, the swimming pool, remain on its own? Furthermore, Town Code 113-6 G states, "Abandoned swimming pools are prohibited and must immediately be removed…"

3) The application is incomplete. The Owner's Endorsement is not completed or notarized, neither is the Town Board Certification.
4) The bulkhead seems to be failing. Land is sinking all along the landward side of it and there are two spots where it is bulging out on the seaward side. (Please see photos). It is also noted on the survey as being in disrepair. This brings to question how it was represented to the DEC for the LNJ; the bulkhead is not in a *functional* condition.
5) The survey does not indicate the location of any septic or sanitary system or cistern for the pool if it exists. The well pit is visible next to the driveway entrance.
6) The site plan does not identify the cistern like structure covered with plywood between the house and the bulkhead.
Conclusion:
We agree that the property would be best served if the house and garage that are in extreme disrepair were removed. However, we must be careful here. We would like to see:
A) A complete application.
B) A survey with both the 75' wetlands line and the 100' buffer line demarcated. Also show the location of any septic systems and or cisterns.
C) A legal determination should be made whether the pool, brick patio, and/or portions of the deck may remain with the removal of the primary structure. Should this application be first reviewed by the ZBA for their determination?
D) A determination should be made as to whether repair of the bulkhead, important to preventing erosion and run-off should be made as condition of the approval of the Wetland or Building permit.
E) Demolition should be performed in a manner that prevents debris and run-off into the regulated and adjacent areas. Any silt fencing should be wirebacked.
Respectfully submitted,
Marcus Kaasik, Planning Board Member Edward Hindin, Planning Board Member
For the Planning Board

No report from the Conservation Advisory Council was received or presented.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Chris do you want to speak to this; yeah this project goes dating back into I believe 2007, the prior owner basically gutted the whole house, they made the house uninhabitable and they were issued a stop work order and over the years we've been trying to get somebody to either go in and do the rehab or demolish the house, I believe the bank took possession of this property in I think April of this year and a couple of things I'd like to speak to, the realtor involved actually has an interested party that wants to close as soon as the house is demolished, there's been discussion of what we do with the pool, I had proposed and gotten a verbal agreement to basically cover the pool with a plywood deck to make it unusable, there will be no workable electric on the house because the meter and all of that will be removed when they take the house out so they won't be able to utilize the pool and from what I understand is the new owners are gonna make some sort of proposal to build a new structure there so this being a very odd situation and the house is an attractive nuisance and the neighbors have contacted me on multiple occasions, they have small children in the area, if somebody goes in the house, the deck, the flooring is not attached, the plywood deck, the subfloor is not nailed down so you could conceivably step on the the edge of a piece of plywood and end up in the basement which has another swimming pool additionally in the basement of the property, so the whole house is really just a continuing nightmare and I know Jim has a soft spot in his heart for getting rid of these zombie houses and I think this is a really good opportunity, if you've got a buyer who is interested in the property and we can get some sort of a written statement from them or something along those lines that they will you know, maintain the bulkhead and put in place some sort of an application to build a house in a time fashion, I think it's a win, win situation that we get rid of this house as soon as we can and you know, letter of the law, we've got a lot of issues with this property that you don't come upon, this isn't just a house that somebody wants to knock down to build something bigger, this is a house that is a, it's an eyesore, it's an unsafe structure, it is dilapidated, it is an attractive nuisance, I mean I can just continue on and on and on and I think in the Town's best interest we should take this opportunity to get rid of this house as soon as we can and then we can make amends with the existing swimming pool, it's easy to disable that and the bulkhead again you know in a perfect world, if this were a maintained property then we could ask the owner to spend a lot of money and get the thing up to snuff before we allow this but there's no money gonna be invested in this other than demolishing the house to get the buyer to purchase it so I think we have a lot of different issues to look at here and we've got to be a little bit more flexible on this one; so Bob is there any way that we can, I mean the bank owns it and they want to get rid of it so obviously it has to be

knocked down but is there anything we can put in there going forward about the bulkhead that has to be repaired before we can issue a building permit or anything, Bob, are you there, Bob's doing his treatment now so it might be a bad time, Chris, I don't know, what are your thoughts on that, in other words, we need, the bulkhead obviously is the most serious issue; well you can certainly put it in that it's a requirement, the question being, does that scuttle the sale and make this not go forward so that's the kind of thing you've to consider here; hi, this is Mayra, I'm actually with Chase Bank and I can review this with them to have it be you know, put in front of the buyer and see what type of you know, what type of delays are issued __ maybe you have the excavation company that's been on standby for a few months now, trying to get this taken care of, we completely agree with you guys that it's an eyesore, it's definitely not the safest structure so you know, whatever you guys need us to do to get this moving forward because we don't want it there just as much as you guys don't, so whatever you guys need from us, the worst thing that could happen is if they say no and then at least we tried but I definitely think to get it moving forward, we should start somewhere so if that's something that is a requirement in order for us to get the permits needed you know, I'm up for anything at this point but then I can't guarantee what they're gonna say but; it would be to their benefit if they're putting that kind of money into the place, you would want the bulkhead repairs; right; also I think it's important to remember as well that the reason it's being demolished is because we ordered it; right; the house has been fenced off now for a considerable amount of time, Chris took care of that, I would say a year and a half or two years ago and it is unsafe, not only is it unattractive but it is unsafe, Mayra just out of curiosity, having been to that house on a number of occasions, those brand new Andersen windows that are there were delivered, I guess they were going to renovate the house and whatever happened there but there were literally tens of thousands of dollars' worth of brand new Andersen windows there, I was wondering when you demolish this, is any of that salvageable, out of curiosity; so the vender that we have scheduled for this whenever everything goes forward, they typically do try and salvage as much as they can, that's obviously not their main concern, we can definitely let them know that that's something that they would want if anyone would want it but when we issue the bids out, we tell them we want everything trashed so if that's something that someone would want, like just say the purchaser or someone would like oh I'm interested in those windows, we would have to let the vender know ahead of time, hey listen, when you guys go into this property, we need you to you know, with the pool in the basement, like we need to know that __ but something else and we would say just be careful we're trying to maintain that pool or whatever the case is so if that's something that again is required, we can just let them know because __ the person did go through a lot of expenses, renovations and unfortunately got foreclosed on so; they got a stop work order so they never had any problems; right; so in fact probably the prior owner was a celebrity attorney and he tried to exercise his vast influence and get a bunch of permits but again it would require Zoning Board approvals and he refused to get surveys and I fought with him for years and again they owned the property up til just this year; right; so it's been a very difficult scenario up until now and I think if we have an opportunity to get rid of that building, now is the time because then if the new owners back out of the deal, then Chase might say well we're not gonna demolish the building and we're gonna be sitting here looking at this house for another eight or ten years; yeah, Mayra, as far as the windows, I wouldn't put a mandate that we had to save them but it would be a hell of a nice thing for Habit For Humanity if we could; no definitely, I can definitely let them know, I a hundred percent agree if there's anything salvageable that can help so if you have any contacts for me to reach out to to be able to donate something, definitely send them my way; okay; well they were brand new as of three years ago, brand new Andersen windows; they've been there probably closer to ten years, since 2008, for twelve years they've been sitting there, some of them were installed, some of them were still in a box; yeah, they're sitting in the property; yes; okay, so Bob, how do we move forward with Chase; well unless there are any public comments on this, basically you close the hearing, you discuss it at the next work session, the same as you would anything else; who pays for the demolition and where does the demolition material end up; the Bank pays, the Bank owns the house; okay and where does the demolition material end up; wherever they want to pay to get rid of it; there was an asbestos certification that was submitted as well so there's no asbestos on the property so that that wouldn't be an issue with it so it's just gonna be construction debris basically; right; and I think it's probably gonna be a lot more cost efficient for them to just crush the whole house, stick it into a couple of dumpsters and take it down to the Shelter Island recycling center; Craig did the CAC have any comments; well we didn't discuss it, we didn't get a document for the wetlands permit so we could discuss it in two weeks but I think the big thing that would come up from the CAC and I don't want to speak for all of the members, and this kind of goes to Chris which is, is the pool actually salvageable because it being fully in the seventy-five to hundred foot buffer, if it's not in great shape and we'll have to go through this later, why are we saving it; it is not my call, this was what the Bank wants to do, the prospective buyers want to keep

it because I think they're afraid that if we demolish the pool, they won't be able to put it back in the same place; that's when the CAC gets involved; it may require renovation but it's, unfortunately it's holding water right now so it is a viable swimming pool; ___ tell you that; Amber; I was gonna be that I would say my recommendation would be we don't have a resolution ready for this evening anyway so maybe we can look at it on the fourteenth __ and then we could have a resolution ready for a special meeting on the fifteenth or when we meet on the thirtieth, so we keep this moving along; yeah let's keep it moving cause yeah, alright so Mayra if you could talk to the realtor maybe and find out something about the bulkhead; yes I can definitely reach out to them; okay, Jerry, I would just like to say a couple of things; sure; I'm the fly in the ointment but I need to say them anyway, I'd like to know, I think we need to know where the septic systems, you know, normally, I know it's a stumbling block but the Department of Health needs, when there's a septic closure, they need to come out and inspect the process, I don't know if that's the worst thing and then I see that they want to remove the foundation basement, I don't know if there's a floor in the building but the foundation walls __, I certainly wasn't out there to look but it says on the plan that the depth to groundwater is five feet; no; well that's what it says, I don't know what's depth to water or whatever, I know that it's low there, obviously; it's on a hill there; it's on a hill; I haven't seen a test boring, like I said, I'm more interested in getting rid of the house and again the septic system dates back to 1966 so who knows where it is; so my main concern, I sympathize with the notion of getting rid of the house, I would want to make sure that included in the demolition of the house is making sure, doing whatever is necessary to make the pool safe because it could be sitting for awhile, right; if they go through another wetlands process; right; building permit process, so you know I would say that some of the conditions of this permit would be that the swimming pool is made safe and any other structures, I mean, they mentioned this well pit covered with a sheet of plywood, I would want something more substantial, basically you know that there's any dilapidated structures are made safe in some fashion in the short run for the demolition would be primarily I think, I haven't seen the details on this but it would be primarily part of the silt fence structure in terms of you know, there would probably be another wetlands permit I guess, required for the construction of the house and reconstruction of the bulkhead so you know I think some sort of hybrid thing that you know that gets rid of the house but also makes sure that you know, we don't have issues with unsafe structures on the property; if the house is out of the wetlands envelope, it wouldn't be a problem, it would just be this if they renovated the pool, Chris; they're allowed to do up to ten thousand dollars maintenance on the pool without any other permits and I'm not sure what the __ would be as far as the wetlands permit to repair a pool, it's already existing and again, if it's holding water, the vessel itself is a viable unit, I've got to figure that they're probably gonna want to run all new plumbing to it and put new pumps and all that kind of thing cause I have no idea what the condition of those things are so you may hit the ten thousand dollar trigger there, again as far as it's an existing __ so I don't think you really trigger a wetlands permit; but if you're renovating the pool as indicated and excavating within the seventy-five foot setback right; well again when a trench, it's a line new plumbing from the pool to the side of the house, I guess, would that trigger a wetlands permit, but this is all gonna get done after the house is gone, _ on the house itself and again I don't know what the tolerance is of the Chase Bank, they might wait another month to get this going or you know, we gotta repair the bulkhead and then we've gotta, I believe the well pit is not on the waterside of the house, I believe the well pit is out by the road so __ shouldn't be too much expense so that's probably not a problem; but to go to Albert's point we really should try to identify the __; so who do you want to go out and take a survey of all these issues, is that gonna be the applicants bailiwick or; I think we need to discuss it with the Planning Board's concerns; I also think, you know the Planning Board raised some questions for example, they're not clear from what was proposed in the application and whether or not you know, a thousand foot of decking is gonna remain, I think we would want to now that; I believe that the only thing that's gonna remain is the pool and a brick patio and whether it's a sixteen hundred or a six hundred foot, that's not a problem and you want the survey to show the seventy-five and the hundred foot setback; right; that can be overlaid I'm sure, fairly easily so those couple of things could work out.

The Supervisor declared the public hearing closed at 5:37 p. m. and called to order the recessed public hearing to be held as advertised on the proposed Yard Sale Law.

Correspondence included the following:

1. An e-mail from K. O'Hagan to tear up the yard sale law.
2. An e-mail from Brian Dolphin in support for Susan Williams and yard sales.

The Supervisor recessed this public hearing at 5:38 p. m. and reconvened the recessed public hearings on the application of Cape Horn for a boat lift, the recessed public hearing on the application of Brian Carroll for a dock, and the recessed public hearing on the Sapan mooring application.

The Supervisor recessed these public hearings at 5:39 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 557

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

"Whereas", a public hearing was duly held on the 4th day of December, 2020, on a proposed Local Law entitled Digitalization of Wetlands Applications, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 11 - 2020 entitled Digitalization of Wetlands Applications, is hereby adopted, to wit:

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

SECTION 1. All applicants for a wetlands permit are to submit to the Town Clerk the application in digital form as a .pdf file.

SECTION 2. All digital submissions shall be named as follows "[applicant name]-[permit requested]- [date of submission] for example "Smith-Wetlands-10-04-21".

SECTION 3. Applicants shall provide 2 full size printed copies of their complete applications and 8 additional copies of all documents not printed on 8 ½" x 11" paper (including but not limited to all maps, surveys and site plans).

SECTION 4. All subsequent and post application submissions must be sent to the Town Clerk and comply with these regulations.

SECTION 5. Upon request from the building department or town engineer, the applicant shall provide digital copies in such other formats as may be required.

SECTION 6. 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. 558

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

"Whereas", a public hearing was duly held on the 4th day of December, 2020, on a proposed Local Law entitled Digitalization of Variance Applications, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 12 - 2020 entitled Digitalization of Variance Applications, is hereby adopted, to wit:

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

SECTION 1. All applicants for a special permit or variance are to submit to the Town Clerk or the Zoning Board of Appeals Clerk their application in digital form as a .pdf file.

SECTION 2. All digital submissions shall be named as follows "[applicant name]-[permit requested]- [date of submission] for example "Smith-Special Permit-10-04-21".

SECTION 3. Applicants shall provide 2 full size printed copies of their complete applications and 8 additional copies of all documents not printed on 8 ½" x 11" paper (including but not limited to all maps, surveys and site plans).

SECTION 4. All subsequent and post application submissions must be sent to the Town Clerk or the Zoning Board of Appeals Clerk and comply with these regulations.

SECTION 5. Upon request from the Building Department or Town Engineer, the applicant shall provide digital copies in such other formats as may be required.

SECTION 5. 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 5:47 p. m. and on motion of Supevisor Siller and seconded by Councilman Bebon, the Town Board entered 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 carried.

The Supervisor reconvened the regular meeting at 6:21 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.

On motion of Supervisor Siller and seconded by Councilman Bebon, the meeting was adjourned at 6:21 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

December 30, 2020

The annual meeting of the Town Board of the Town of Shelter Island was held via Zoom on the 30th day of December 2020 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 Michael Bebon and Councilwoman Amber Brach-Williams. Town Attorney Robert J. DeStefano, Jr., Town Clerk Dorothy S. Ogar and approximately thirteen persons were present.

The Supervisor called the meeting to order at 1:04 p. m.

Pledge of allegiance to the flag.

The Supervisor presented the following statement:

This is the December 30, 2020 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 November 2020:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
NOVEMBER 2020

ACCOUNT	FORWARD	RECEIPTS	DIS-BURSEM.	BALANCE	CLASS
Gen. Checking	5,361,335.40	397,533.08	730,225.69	5,028,642.79	809,768.34
Hwy Checking	1,546,902.29	127.58	130,620.66	1,416,409.21	
T&AChecking	111,889.07	294,113.90	285,785.27	120,217.70	10,515.29
T&A Savings	12,237.34	0.31		12,237.65	
Hwy Cap Res	371,530.26	9.47		371,539.73	
WNW Supply	15,235.91	1,184.39	416.73	16,003.57	154,237.53
Taylor's Island	44,120.13	1.09		44,121.22	
Comm Preserv	1,334,517.56	347,586.77	38,348.25	1,643,756.08	5,903,641.99
Waterways	312,373,10	32,900.00	175,950.00	169,323.10	
Reserve Fund	2,286,601.41			2,286,601.41	
Bridge St Escr					371,294.96
Environmental					5,678.16
FIT Ctr Res	20,045.25			20,045.25	
Ambul Reserv	186,464.53	1.51		186,466.04	
Ambul Train	24,478.51	0.62		24,479.13	
TOTALS	11,627,730.76	1,073,458.72	1,361,346.60	11,339,842.88	7,255,136.27

The Supervisor read PROCLAMATIONS honoring outgoing Town Justice Helen J. Rosenblum and retiring State Senator Kenneth P. LaValle. (A copy of these proclamations are attached to these minutes.)

RESOLUTION NO. 559

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 $790.95 from the 2020 A1355.491 Assessors' support contracts account and $389.57 from the 2020 A1330.484 Receiver of Taxes office and miscellaneous account to Carr Business Systems, P. O. Box 936715, Atlanta, Georgia 311193-6715 for the one year copier maintenance agreement for the term November 12, 2020 through November 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. 560

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

"Whereas", the Town Board wishes to create a Shoreline Access Task Force for the purpose of reviewing and enacting regulations pertaining to Town owned and maintained landings providing access for residents and visitors to access Town areas, now, Therefore

BE IT RESOLVED, That the following persons are hereby appointed to serve as members of said group for the terms designated:

Peter Vielbig - Chairman and Member for a term to expire on December 30, 2022
Beau Payne - Member for a term to expire on December 30, 2021
Alfred Loreto - Member for a term to expire on December 30, 2022

Andrew Reeve - Member for a term to expire on December 30, 2021, and
Joe Finora - Member for a term to expire on December 30, 2022, and

BE IT FURTHER RESOLVED, That the Town Board does hereby adopt the attached Charter for the Shoreline Access Task Force.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 561

Supervisor Siller offered the following resolution, which was seconded by Councilman Bebon, 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, 2020, in the amount of $180.70, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $180.70 from the trust and agency account to general 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. 562

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

"Whereas", the Town of Shelter Island is charged with the protection of the public and efficient and effective response to incidents that threaten life, property, public safety and the environment of Shelter Island, and

"Whereas", the current Disaster Plan/Emergency Operation Procedures have been in place since adoption on June 19, 1998 and require updating, and

"Whereas", the ten Towns of Suffolk County and the Unkechaug Tribal Nation (a.k.a. CEMP Planning Partners), have joined with Suffolk County in the planning process to develop a Comprehensive Emergency Management Plan (CEMP) for both their respective Towns and the County, and

"Whereas" the CEMP Planning Partners approved the 2018 Suffolk County Comprehensive Emergency Management Plan, and

"Whereas", the 2020 Town CEMP was developed in accordance with appropriate federal guidelines, namely, the National Response Framework (NRF) 3rd Edition, June 2016 and the National Disaster Recovery Framework (NDRF) 2nd Edition, June 2016, and

"Whereas", the 2020 Town CEMP sets the strategy for multi-agency coordination of incident response and provides an effective mechanism to group Town capabilities and resources into 15 functional areas required during actual or potential incidents including post incident recovery, now, Therefore

BE IT RESOLVED, That the Shelter Island Town Board adopts the 2020 Shelter lsland Comprehensive Emergency Management Plan developed in accordance with appropriate state and federal guidelines, and that the Town of Shelter Island will provide a complete update of the Plan no less than every five (5) 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. 563

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

"Whereas", the Town of Shelter Island, with the assistance from the County of Suffolk, has gathered information and prepared the Suffolk County Multi-Jurisdictional Multi-Hazard Plan, and

"Whereas", the Suffolk County Multi-Jurisdictional Multi-Hazard Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

"Whereas", the Town of Shelter lsland is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan, and

"Whereas", the Town of Shelter Island has reviewed the Plan and affirms that the Plan will be updated no less than every five years; now, Therefore

BE IT RESOLVED, That the Town Board of the Town of Shelter Island adopts the Suffolk county Multi-Jurisdictional Multi-Hazard Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the plan.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 564

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

"Whereas", Mr. John C. Cronin, Jr. has gifted to the Town, the following list of equipment:

corner desk
conference table
rolling file cabinet with drawers
desk chair
carpet protector
oriental rug
computer Harmon/Kardon speakers, and
computer logtech camera and microphone, now, Therefore

BE IT RESOLVED, That the Town Board does hereby gratefully accept the generous gifts from Mr. John C. Cronin, Jr. for no fee.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 565

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

"Whereas", pursuant to Town Board resolution, Public Sector HR Consultants, LLC, 14 Knollwood Drive, Glenville, New York 12302 developed and implemented an Employee Handbook for the Town of Shelter Island, and

"Whereas", the final draft of said handbook has been received by the Town for review and approval, now, Therefore

BE IT RESOLVED, That the Town Board does hereby accept the final draft as presented and adopts said printing as the official Town of Shelter Island Employee Handbook.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 566

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

"Whereas", Maria Crotty 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 5 Sylvan 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.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 567

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

"Whereas", Applicant J.P. Morgan Chase proposes significant demolition work within vegetative buffer and adjacent regulated area at 169 Ram Island Drive, Shelter Island, New York and Zone AA-Reverting to A Residential (Near Shore and Peninsular Overlay District) and bearing SCTM# 0700/10/1/20 (the "Premises"); and

"Whereas", the proposed project entails the demolition of an existing single family house built in 1966 that protrudes into the 100' adjacent regulated buffer by 2.4 feet; the swimming pool and brick patio that lie mostly in the 75' regulated area are to be retained as is the existing septic system; and

"Whereas", the proposed construction includes the following additional work at least partially within the 100' Adjacent Regulated Area: demolition of an existing single family 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 Department of Environmental Conservation has issued a letter of non-jurisdiction No. 147320117-0001 dated September 9, 2020 indicating that the property is not subject to the provision of the Tidal Wetland Act or the Coastal Erosion Hazard Areas Act; The DEC LNJ is based on a functional bulkhead greater than 100' in length and constructed prior to August 20, 1977; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on December 4, 2020, 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 the result of an Order from the Town Building Department to demolish an unsafe structure; and
3. The applicant is a bank that took the property in foreclosure and is looking to sell the property for redevelopment; and
4. The existing bulkhead is in disrepair; and

5. There are no practicable alternatives which allow the project to be constructed outside the regulated area due to the size of the lot and the percentage that falls within the regulated areas; and
6. 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. Prior to the issuance of any building permit for redevelopment, the bulkhead must be repaired; and
2. As a requirement for the granting of any building permit for redevelopment, the existing septic system must be replaced with a nitrogen reducing IA System; and
3. The pool and brick patio must be secured and made safe to the satisfaction of the Building Inspector and must be removed if no building permit is applied for within 2 years of the granting of this permit; and
4. The applicant is responsible for obtaining any necessary local, state or county demolition permits prior to commencing work; and
5. The existing septic system must be made safe and secured prior to demolition; and
6. 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
7. Soil disturbance should be minimized where possible; and
8. The construction site must be cleaned of all trash and debris on an ongoing basis with a minimum once per week; and
9. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
10. Construction materials and equipment shall be staged outside the regulated area; and
11. Parking of all construction and delivery vehicles shall be on premises; and
12. No public street or public or private right-of-way may be obstructed or impaired during construction; and
13. Applicant must repair any damage to any adjacent road or street caused by construction vehicles to the satisfaction of the Town Highway Superintendent; and
14. 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
15. 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
16. 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. 568

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

"Whereas", Tom Field, 2 South Ferry Road, has petitioned the Town Board for permission to install a stake, mooring and pulley system at Simpson Road, and

"Whereas", a public hearing was duly held on the 10th day of July, 2020, and continued on July 31, 2020, and

"Whereas", it was determined that said location was occupied by a different owner, and

"Whereas", Mr. Field has requested that his application fee be returned, now Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the application fee to Mr. Tom Field.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 569

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

BE IT RESOLVED, That the Town Board hereby authorizes the payment of 2020 claims received in 2021 to be paid with 2020 funds through March 5, 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. 570

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

"Whereas", the Town of Shelter Island desires to enter into that certain lease-Purchase Agreement No. 9347, by and between government Capital Corporation and Town of Shelter Island, for the purpose of procuring a "Vehicle". The Town desires to designate this Agreement as a "qualified tax exempt obligation" for the Town for the purposes of Section 265(b) (3) of the Internal Revenue Code of 1986, as amended. The Town of Shelter Island desires to designate Gerard F. Siller, Town Supervisor, as an authorized signer of the agreement, now, Therefore

BE IT RESOLVED, By the Town Board of the Town of Shelter Island:

Section 1. That the Town enters into a Lease Purchase Agreement with Government Capital Corporation for the purpose of procuring a Vehicle.

Section 2. That the Lease Purchase Agreement No. 9347, by and between the Town and Government Capital Corporation is designated by the Town as a "qualified tax exempt obligation" for the purposes of Section 265 (b)(3) of the Internal Revenue Code of 1986, as amended

Section 3. That the Town of Shelter lsland designates Town Supervisor, or their designee as an authorized signer of the Lease Purchase Agreement Number 9347, by and between the Town of Shelter Island and Government Capital Corporation.

Roll Call Vote:	Councilwoman Brach-Williams	aye
	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. 571

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 for paint returned from Sherwin-Williams in the amount of $559.69 to the A1490.409 Public Works beaches and parks 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. 572

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

"Whereas", the EMS Department has received funds in the amount of $3,049.46 and $6,000.00 from the Shelter Island Ambulance Foundation, Inc. for medical supplies and the EMS incentive program, and

"Whereas", the Nutrition Program has received a donation in the amount of $100.00 from William Seeberg, and

"Whereas", there has been unanticipated increases in certain revenues, and

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

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

$9, 049.46 increase to the 2020 A2705A Ambulance/EMS donations revenue account to be funded by the donations received from the Shelter Island Ambulance Foundation;

$100.00 increase to the A2705N Nutrition Program donations revenue account to be funded by the donation received from William Seeberg;

$3,049.46 increase to the 2020 A4540.478 Ambulance medical supplies expense account;

$6,000.00 increase to the 2020 A4540.484 Ambulance office and miscellaneous account;

$100.00 increase to the 2020 A6772.440 Nutrition Program maintenance account;

$11,000.00 increase to the 2020 A2130 Sale of bags revenue account,

$13,000.00 increase to the 2020 A2130J Brush in revenue account,

$4,000.00 increase to the 2020 A2130K concrete in revenue account,

$13,000.00 increase to the 2020 A8160.433 Landfill solid waste carting fees expense account,

$11,000.00 increase to the 2020 A8160.438 Landfill processed concrete account, and

$4,000.00 increase to the 2020 A8160.497 Landfill professional 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. 573

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

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

$665.00 from the A1490.410 Public Works grounds maintenance account to the A1490.420 Public Works sign and signals account;

$50.00 from the A1330.200 Receiver of Taxes equipment account to the A1330.484 Receiver of Taxes office and miscellaneous account;

$300.00 from the A3120.490 Police Department DARE training account to the A3120.483 Police Department telephones account;

$6,470.00 from the A3120.486 Police Department gas and oil account,

$2,000.00 from the A3120.457 Police Department towing account, and

$24,710.00 from the A3120.272 Police Department new car account to the A3120.200 Police Department equipment account;

$528.00 from the A3120.482 Police Department boat gas and oil account,

$100.00 from the A3120.476 Police Department FOIL expenses account, and

$310.00 from the A3150.200 Jail equipment account to the A3120.484 Police Department office and miscellaneous account;

$7,774.00 from the A3510.491 ACO 4 poster maintenance account to the A3510.498 ACO deer reduction management account;

$1,565.00 from the A5010.440 Superintendent of Highway training account, and

$360.00 from the A5010.200 Superintendent of Highways equipment account to the A5010.400 Superintendent of Highways office and miscellaneous account;

$1,573.00 from the A8160.413 Landfill walls and bulkheads account and dispersed as follows:

$1,155.00 to the A8160.434 Landfill hazardous waste carting fees account, and

$418.00 to the A8160.484 Landfill office and miscellaneous account;

$200.00 from the A8160.490 Landfill hazmat training account to the A8160.488 Landfill high visibility clothing account;

$1,880.00 from the A8160.119 Landfill part time personal services account to the A8160.129 Landfill double time personal services account;

$1,000.00 from the B3621.489 Building Permits Examiner training and education account to the B3621.484 Building Permits Examiner office and miscellaneous account;

$9,030.00 from the DA5130.152 highway machinery mechanic overtime account and dispersed as follows:
$2,600.00 to the A8160.497 Landfill professional services account, and
$6,430.00 to the DA5140.1 Highway Bush & Weeds overtime account;
$112.00 from the DA5130.446 Highway Machinery account to the DA5130.447 Highway Machinery grease and oil account;
$1,500.00 from the DB5110.160 Highway Repair & Improvements double time personal services account to the DB5110.159 Highway Repair & Improvements overtime personal services account;
$500.00 from the A1010.492 Town Board School, travel, mileage account to the A1010.484 Office & Misc. account;
$50.00 from the A1010.492 Town Board School, travel, mileage account to the A1010.497 Town Board Professional Services account;
$3,142.00 from the A1010.493 Town Board Law Library account to the A1010.497 Town Board Professional Services account;
$1,900.00 from the A1110.410 Justice Court Interpreter account to the A1110.440 Justice Court Contracts account;
$1,000.00 from the A1110.492 Justice Court School, travel, mileage account to the A4050.104 COVID-19 Custodian cleaning account;
$500.00 from the A1110.499 Justice Court Stenographer account to the A1110.440 Justice Court Contracts account;
$4,900.00 from the A1110.499 Justice Court Stenographer account to the A4050.104 COVID-19 Custodian cleaning account;
$750.00 from the A1220.200 Supervisor Equipment account to the A4050.104 COVID-19 Custodian cleaning account;
$5,000.00 from the A1220.412 Supervisor ADP account to the A4050.107 COVID-19 Beach attendants account;
$4,000.00 from the A1355.104 Assessors Clerk personal services account to the A4050.107 COVID-19 Beach attendants account;
$12.17 from the A1356.100 Assess. Bd Review J Messing account to the A1356.101, Assess. Bd Review Member account;
$200.00 from the A1356.100 Assess. Bd Review J Messing account to the A4050.107, COVID-19 Beach attendants account;
$100.00 from the A1356.102, Assess. Bd Review Member account to the A4050.107, COVID-19 Beach attendants account;
$100.00 from the A1356.103 Assess. Bd Review Member account to the A4050.107, COVID-19 Beach attendants account;
$100.00 from the A1356.104 Assess. Bd Review Member account to the A4050.107, COVID-19 Beach attendants account;
$1,300.00 from the A1356.105 Assess. Bd Review Clerk account to the A4050.107, COVID-19 Beach attendants account
$100.00 from the A1356.484 Assess. Bd Review O&M account to the A4050.107, COVID-19 Beach attendants account;
$1,525.00 from the A1410.107 Deputy Town Clerk #2 – OT account to the A1410.102 S. Jacobs OT account;
$500.00 from the A1410.107 Deputy Town Clerk #2 OT account to the A1410.109 Clerk #3 L. Cass account;
$2,321.38 from the A1420.102 Town Attorney Legal Aide account to the A4050.200 COVID-19 Equipment account;
$1,500.00 from the A1420.102 Town Attorney Legal Aide account to the A4050.408 COVID-19 Maintenance account;
$1,100.00 from the A1990.400 Contingency account to the A1330.414 Tax Receiver Postage account;
$25,000.00 from the A1990.400 Contingency account to the A1410.109 Deputy Town Clerk #3 L. Cass account;
$1,625.00 from the A1990.400 Contingency account to the A1410.110 Deputy Town Clerk #3 Stipend account;
$9,800.00 from the A1990.400 Contingency account to the A4560.408 Medical Center Repairs/Maint. account;
$750.00 from the A1990.400 Contingency account to the A8510.408 Taylor's Island Smith Cabin Repairs account;
$10,601.23 from the A1990.400 Contingency account to the A8510.485 Taylor's Island Shed account;

$5,740.57 from the A1990.400 Contingency account to the A9055.801 Paid Family Leave account;
$6,690.00 from the A4540.492 Ambulance travel, meetings account to the A4540.484, Ambulance office & misc. account;
$500.00 from the A6410.438 Publicity Fireworks account to the A4560.408 Medical Center Repairs/Maint. Account;
$575.00 from the A6772.140 Nutrition Dir K. Bennett account to the A6772.410 Nutrition Program Consultant account;
$1,300.00 from the A6772.142 Nutrition Dishwasher A Binder account to the A4050.103, COVID-19 Nutrition account;
$645.00 from the A6772.143 Nutrition Cook A Corbett account to the A4050.103 COVID-19 Nutrition account;
$480.00 from the A6772.440 Nutrition Maintenance account to the A6772.484 Nutrition Rent/supplies account;
$2,000.00 from the A6775.157 Res. Repairs Assistant account to the A6775.439 Res. Repairs Supplies account;
$850.00 from the A6776.422 Silver Circle meals/snacks account to the A6776.445 Silver Circle Utilities account;
$1,300.00 from the A6777.146 Senior Center Yoga account to the A4050.102 COVID-19 Sr Services account;
$8,500.00 from the A6777.148 Senior Center Drivers for new bus account to the A6777.144 Senior Center D. Binder account;
$3,200.00 from the A7020.102 Recreation Rec Aides account to the A4050.100 COVID-19 Food Pantry account;
$6,455.00 from the A7020.105 Recreation FIT Aides account to the A4050.100 COVID-19 Food Pantry account;
$5,167.59 from the A7020.105 Recreation FIT Aides account to the A4050.101 COVID-19 IGA gatekeeping account;
$410.11 from the A7020.105 Recreation FIT Aides account to the A4050.102 COVID-19 Sr Services account;
$1,430.00 from the A7020.105 Recreation FIT Aides account to the A4050.104 COVID-19 Custodian cleaning account;
$1,329.31 from the A7020.105 Recreation FIT Aides account to the A4050.106, COVID-19 Hwy Personnel account;
$1,800.00 from the A7310.400 Recreation Youth Programs account to the A4050.107 COVID-19 Beach attendants account;
$7,900.00 from the A7320.101 Youth Center Aides account to the A4050.105, COVID-19 Misc/Administrative account;
$6,725.00 from the A7620.400 Adult Programs account to the A4050.104 COVID-19 Custodian cleaning account;
$200.00 from the A8160.119 Landfill Part Time personal services account to the A8160.103 Landfill Seasonal account;
$4,625.00 from the A8160.119 Landfill Part Time personal services account to the A8160.129 Landfill Double OT account;
$1,000.00 from the A8510.412 Taylor's Island Dock repair account to the A8510.484 Taylor's Island Office & Misc account;
$2,477.69 from the A9030.800 Employee Benefits Social security account to the A1910.400 Special items Unallocated Insurance account;
$404.26 from the A9030.800 Employee Benefits Social security account to the A9055.800 Employee Benefits Disability Insurance account;
$5,118.05 from the A9030.800 Employee Benefits Social security account to the A9055.801 Paid Family Leave account;
$352.00 from the B3620.485 Building Inspector car maintenance account to the B3620.484 Building Inspector office & miscellaneous account;
$700.00 from the B8010.440 Zoning Officer education and training account to the B8010.484 Zoning Officer office and miscellaneous account
$50.00 from the B8010.485 Zoning Officer car maintenance account to the B8010.484 Zoning Officer office and miscellaneous account;
$125.00 from the B8010.485 Zoning Officer car maintenance account to the B8010.491 Zoning Officer service contracts account;
$20.00 from the B8012.440 ZBA legal notices account to the B8012.484 ZBA office and miscellaneous account;

$2,500.00 from the B9030.800 Social Security account to the B8040.101 Comprehensive Plan clerk personal services account; and
$7,000.00 from the B9060.800 Health Insurance account to the B8040.497 Comprehensive Plan professional services account; and

BE IT FURTHER RESOLVED, That the following 2020 budget modification is hereby approved:
$1,170.00 from the Waterways Fund balance to the A3120.100 Police Department 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. 574

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

BE IT RESOLVED, That 2020 general claims numbered 1913 through 2079 in the amount of $183,538.77, 2020 Community Preservation Fund claims numbered 28 through 29 in the amount of $6,352.09, 2020 highway claims numbered 238 through 268 in the amount of $390,191.31, and 2020 West Neck Water claims numbered 37 through 42 in the amount of $7,346.58 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 1:46 p. m., Supervisor Siller moved and Councilman Bebon 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 2:22 p. m., the Supervisor reconvened the regular meeting and on motion of Supervisor Siller and seconded by Councilman Colligan the regular 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 carried.

Dorothy S. Ogar
Town Clerk