



**MINUTES**

*Special Town Board Meeting March 3, 2026 at 9:00 A.M.*

**I. Pledge of Allegiance**

**II. Call to Order**

The March 3, 2026 – 9:00 AM Town Board Special Meeting at Town Hall – Town Board Room, 38 North Ferry Road, Shelter Island, NY 11964.

Attendee Name	Title	Present	Absent	Late	Arrived
Amber Brach-Williams	Supervisor	X			9:00 AM
Margaret Larsen	Deputy Supervisor	X			9:00 AM
Elizabeth Hanley	Councilmember	X			9:00 AM
Benjamin Dyett	Councilmember		X		
Albert Dickson	Councilmember	X			9:00 AM
Thomas Crouch	Town Attorney	X			9:00 AM
Shelby Mundy	Town Clerk	X			9:00 AM

**III. Correspondence**

- A Memo from the Town Clerk related to the permissive referendum for the purchase of a new East Genesis Unloader Trailer from the Highway Capital Reserve Fund stating no petition was filed and the purchase is now authorized to move forward*
- A letter from Dr. Julia Weisenberg resigning from her position as committee member on the WQI*
- An email from Helene Starzee related to 27 West Neck Road*
- An email from David Lopez related to the 2 School Street potential acquisition*
- An email from Bob Fredericks related to the 2 School Street potential acquisition*

**IV. Resolutions**

**Resolution 2026-95**

WHEREAS, Ingrid and Robert Fagen, 1 Tarkettle Road, have petitioned the Town of Shelter Island for permission to construct a staircase leading up to a 4’x20’ fixed catwalk leading to a 4’x50’ ramp down to a 4’x26’ kayak launch and install two ladders, per revised plans submitted by Costello Marine, last revised December 3, 2025 and stamped NYSDEC approved on January 16, 2026; now, therefore, be it

RESOLVED, that pursuant to Section 53 of the Code of the Town of Shelter Island, a public hearing will be held on Monday, April 6, 2026 at 6:00 PM or as soon thereafter, prevailing time, in the Shelter Island Town Hall, 38 North Ferry Road, Shelter Island, New York 11964, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote Record - Town Board Resolution 2026-95						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Second	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Mover	X		
	Rescheduled					

**Resolution 2026-96**

WHEREAS, Christopher Chmelar & Danielle Ferrera, 13 Dickerson Drive, have petitioned the Town of Shelter Island to amend their existing wetlands permit to allow for the demolition of the existing walls to be rebuilt in the same place, as per plans submitted by Jeffrey Butler dated November 17, 2025; 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 on Monday, April 6, 2026 at ~~9:00 AM~~ 6:00 PM, or as soon thereafter, prevailing time, in the Shelter Island Town Hall, 38 North Ferry Road, Shelter Island, New York 11964, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote Record - Town Board Resolution 2026-96						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted					
<input checked="" type="checkbox"/>	Adopted as Amended	Amber Brach-Williams	Second	X		
<input type="checkbox"/>	Defeated	Margaret Larsen	Mover	X		
<input type="checkbox"/>	Tabled	Benjamin Dyett				X
<input type="checkbox"/>	Withdrawn	Albert Dickson	Voter	X		
<input type="checkbox"/>	Failed to Move	Elizabeth Hanley	Voter	X		
<input type="checkbox"/>	Rescheduled					

**Resolution 2026-97**

WHEREAS, Chapter 581 of the New York State Laws of 2025 provides for an amendment of Real Property Tax Law § 467 to adjust exemption percentages for senior citizens up to 65% based on a sliding scale; and

WHEREAS, Real Property Tax Law § 467(1)(a) allows a municipality to amend the exemption percentage for senior citizens by resolution after a public hearing; now, therefore, be it

RESOLVED, that a public hearing will be held on Monday, April 6, 2026, at 6:00 p.m., or as soon thereafter, in the Shelter Island Town Hall, to hear any and all persons either for or against a proposal to increase the senior property tax exemption percentage to up to 65% based on a sliding scale pursuant to Real Property Tax Law § 467.

Vote Record - Town Board Resolution 2026-97						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted					
<input type="checkbox"/>	Adopted as Amended	Amber Brach-Williams	Mover	X		
<input type="checkbox"/>	Defeated	Margaret Larsen	Voter	X		
<input type="checkbox"/>	Tabled	Benjamin Dyett				X
<input type="checkbox"/>	Withdrawn	Albert Dickson	Second	X		
<input type="checkbox"/>	Failed to Move	Elizabeth Hanley	Voter	X		
<input type="checkbox"/>	Rescheduled					

**Resolution 2026-98**

RESOLVED, that the Town Board of the Town of Shelter Island hereby directs that a public hearing be held on March 16, 2026, at 6:00 PM, or as soon thereafter, to hear any and all persons either for or against a local law entitled “A Local Law Amending Chapter 8 - Code of Ethics.”

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

This local law is adopted pursuant to the authority granted by Municipal Home Rule Law Section 10 (General Powers of Local Governments to Adopt and Amend Local Laws). If any section, provision or part of this local law shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not

affect the validity of the local law as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

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

Local Law No. \_\_ of 2026

#### Section 1. Legislative Intent.

The Town of Shelter Island adopted updated Code of Ethics in 2023, which is implemented through the Town’s Board of Ethics. This legislation reflects the Town Board and Board of Ethics’ commitment to the periodic review of the Code of Ethics to ensure it remains current with applicable laws, guidance, and best practices in municipal governance. Regular evaluation and refinement of the Code promote public confidence in the integrity and accountability of Town officials, employees, and appointed representatives and ensure the ethical framework continues to serve the Town and public interest.

The Board of Ethics reviewed the current Code of Ethics and suggested recommendations to the Town Board for various updates. The Shelter Island Town Board reviewed and revised such recommendations, and wishes to adopt updates that the Town Board believes improve the current Code of Ethics, are in the interest of protecting the Town from unethical activity and providing its employees with clear guidance in performing their duties.

#### Section 2. Amendment.

The Chapter 8 of the Shelter Island Town Code is hereby amended by deleting the stricken words and adding the underlined words:

#### ARTICLE I

#### **Standards of Conduct**

##### **§ 8-1. Purpose.**

~~Officers and employees of the Town of Shelter Island hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Town recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. Clear standards will also protect ethical public officials and rebut unfair allegations. This Code of Ethics establishes those standards.~~

Town of Shelter Island ("the Town") officers and employees are expected to perform their duties in the best interests of the public. They may, however, encounter situations in which what is best for the Town may be different from their own or a relative’s personal best interest. In such a case, there may be a “conflict of interest.” Such conflicts may seriously undermine public confidence in the Town government.

The purpose of ethics law is to help Town officers and employees avoid conflicts of interest, as well as to disclose and address them when necessary to foster the public’s confidence in the government.

New York State’s General Municipal Law, Article 18 contains provisions prohibiting certain conflicts of interest of municipal officers and employees. That law applies to all Town employees, which includes officers, employees and advisory Board members, paid or unpaid. Town employees should familiarize themselves with Article 18. It is posted in Town Hall and on the Board of Ethics website along with a Comptroller’s description of the law.

The Town has adopted its own Code of Ethics as authorized by Article 18. In addition, there is a substantial body of judge-made law (“common law”) in New York addressing potential conflicts of interest. While all court decisions are specific to the facts before the court, those decisions create ethical principles that can be applied to other facts and circumstances where a reasonable person would foresee the appearance of impropriety or where conduct could seriously and substantially violate the spirit and intent of ethics regulations, even where no specific statute is violated.

The Town has enacted this Ethics Code in the interest of creating clear and reasonable standards for its officers and employees. It includes the essential requirements of Article 18, and the common law will also be applied, when needed.

### § 8-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ARTICLE 18 — New York State's General Municipal Law, Article 18.

~~FINANCIAL-BENEFIT~~ — Anything of financial or other material value, whether in the form of money, property, services, loan, travel, entertainment, hospitality, or promise, or any other form. The benefit can be direct or indirect but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the Town or an area of the Town, or a lawful class of such residents or taxpayers.

BOARD — The Town Board and any other administrative board, committee, or other agency or body comprised of two or more Town officers or employees.

~~CODE — This Code of Ethics.~~

CODE – This Code of Ethics.

HOUSEHOLD MEMBER — Those persons residing within the same dwelling unit.

~~INTEREST IN A CONTRACT — A Town officer or employee has an interest in a contract when they, their spouse, minor child, dependent, or corporation in which the Town employee is an owner, officer or employee, would secure a financial benefit under the contract.~~

INTEREST IN A PRIVATE ORGANIZATION — A Town officer or employee is deemed to have an interest in any private organization when they, their spouse, ~~or~~ a relative, or household member, is an owner, partner, member, director, officer, employee, or directly or, in the case of a corporation, indirectly owns or controls more than 5% of the corporation's outstanding stock.

OFFICER or EMPLOYEE — Any Town officer or employee whether paid or unpaid, whether serving full-time, part-time or in an advisory capacity.

RELATIVE — A spouse, brother, sister, parent, child, grandchild, or the spouse of any of them, ~~or a household member of an officer or employee.~~

~~TOWN — The Town of Shelter Island.~~

### § 8-3. Applicability

This Code applies to the officers and employees of the Town and shall supersede any prior Town code of ethics. The provisions of this Code shall apply in addition to all

applicable state and local laws relating to conflicts of interest and ethics including, but not limited to, Article 18 and all rules, regulations, policies and procedures of the Town.

**§ 8-4. Prohibition on use of Town position for personal or private gain.**

No officer or employee shall use their Town position or official powers and duties to secure a ~~financial~~ benefit for themselves, a relative, household member, or any private organization in which the employee is deemed to have an interest.

**§ 8-5. Disclosure of interest in legislation and other matters where discretion is used.**

Whenever a matter requiring the exercise of discretion, including proposed legislation, comes before an officer or employee, either individually or as a member of a ~~board~~ Board or committee, and disposition of the matter could result in a ~~financial~~ benefit to the officer or employee, a relative of theirs, household member, or any private organization in which they are deemed to have an interest, the officer or employee shall disclose in writing the nature of the ~~financial~~ benefit.

- A. The disclosure shall be made when the matter requiring disclosure first comes before the officer or employee, or when the officer or employee first acquires knowledge of the benefit requiring disclosure, whichever is earlier.
- B. ~~In the case of a person serving in an elective office, the disclosure shall be filed with the Town Board and the Board of Ethics. In all other cases, the disclosure shall be filed with the Board of Ethics and that person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the officer, employee or board having the power to appoint the person's position. In addition, in the case of a person serving on a board, a copy of the disclosure shall be filed with said board and included in the minutes of the board's meeting.~~

In the case of disclosure by a Board member, the disclosure shall be made before the Board, and shall be reflected in the minutes of the Board. In all other cases, the disclosure shall be made in writing to that person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the officer, employee or Board having the power to appoint the person's position.

**§ 8-6. Recusal and abstention.**

No officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including proposed legislation, when they know or have reason to know that the action could confer a ~~financial~~ benefit on the employee, a relative, household member or any private organization in which the employee is deemed to have an interest. Further, once recused, that person may not be in the room (or appear via videoconferencing) when the matter is being discussed, voted on, nor participate in any discussions or communications including e-mail or text regarding it.

**§ 8-7. Prohibition inapplicable; disclosure, recusal and abstention not required.**

This Code's prohibition on use of a Town position (§ 8-4), disclosure requirements (§ 8-5), and requirements relating to recusal and abstention (§ 8-6), shall not apply with respect to the following matters:

- A. Adoption of the Town's annual budget;
- B. Any matter requiring the exercise of discretion that directly affects any of the following groups of people or a ~~lawful~~ similarly situated class of such ~~groups~~ people:
  - (1) All or substantially all officers or employees;
  - (2) All or substantially all residents or taxpayers of the Town; or
  - (3) The general public; or
- C. Any matter that does not require the exercise of discretion, for example a ministerial action such as the issuance of license or permit upon completion of the required form.

#### **§ 8-8. Investments in conflict with official duties.**

- A. No officer or employee may acquire the following investments:
  - (1) Investments that can be reasonably expected to require ~~more than~~ sporadic frequent recusal and abstention under § 8-6 of the Code; or
  - (2) Investments that would otherwise impair the person's independence of judgment in the exercise or performance of their official powers and duties.
- B. This section does not prohibit a Town officer or employee from acquiring any other investments or the following assets:
  - (1) Less than 5% of the stock of a publicly traded corporation, or
  - (2) Bonds or notes issued by the Town and acquired more than one year after the date on which they were originally issued.

#### **§ 8-9. Private employment in conflict with official duties.**

- A. No officer or employee, during their tenure as an officer or employee, may engage in any private employment that may be in substantial conflict with the proper discharge of their duties, including but not limited to when:
 

**[Amended 10-11-2023 by L.L. No. 12-2023]**

  - (1) It can be reasonably expected to require ~~more than sporadic frequent~~ frequent recusal and abstention pursuant to § 8-6 of the Code, or
  - (2) It can be expected to require disclosure or use of confidential information gained by reason of serving as an officer or employee, or
  - (3) It requires representation of a person or organization other than the Town in connection with litigation, negotiations, or any other matter to which the Town is a party.
- B. No officer or employee shall receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any ~~board~~ Board of which the officer or employee is a member, or has the power to appoint any member, ~~nor for compensation for services to be rendered in relation to any matter before any agency of the Town whereby compensation is to be dependent or contingent upon any action by such agency with respect to such matter.~~
- C. No officer or employed shall receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any

matter before any Town Board or committee board, if the compensation is dependent or contingent upon any action by such ~~board~~ Board or committee with respect to such matter. This subsection shall not prohibit non-contingent compensation agreements ~~the fixing at any time of fees~~ based upon the reasonable value of the services rendered.

#### **§ 8-10. Future employment.**

- A. No officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the officer or employee, either individually or as a member of a ~~board~~ Board, while the matter is pending or within the 30 days following final disposition of the matter.
- B. No officer or employee, for the one-year period after serving as an officer or employee, ~~may represent or render services to a private person or organization~~ shall appear before or communicate in any form with the Town office, Board, department or comparable organizational unit for which they served in connection with any particular matter involving the exercise of discretion ~~before the Town office, board, department or comparable organizational unit for which they served.~~
- ~~C. No Town officer or employee, at any time after serving as an officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which the employee personally and substantially participated while serving as a Town officer or employee.~~

#### **§ 8-11. Personal representations and claims permitted.**

The Code shall not be construed as prohibiting an officer or employee from representing themselves, or a relative or household member ~~their spouse or minor children~~ before the Town; or asserting a claim against the Town on their own behalf, or on behalf of a relative or household member ~~their spouse or minor children~~.

#### **§ 8-12. Use of Town resources.**

Town resources shall be used for lawful Town purposes.

- A. No officer or employee may use or permit the use of Town resources for personal or private purposes. Town resources include, but are not limited to, Town personnel, and the Town's money, vehicles, equipment, materials, supplies or other property. Provided, this provision shall not be construed as prohibiting:
  - (1) Any use of Town resources authorized by law or Town policy;
  - (2) The use of Town resources for personal or private purposes when provided to a Town officer or employee as part of their compensation; or
  - (3) The occasional and incidental use during the business day of Town telephones and computers for necessary personal matters such as family care and changes in work schedule.
- B. No officer or employee shall cause the Town to spend more than is

reasonably necessary for transportation, meals or lodging in connection with official travel.

**§ 8-13. Interests in Contracts.**

- A. Article 18 requires no officer or employee may have an interest in a contract with the Town when such officer or employee, individually or as a member of a Board ~~board~~, has the power or duty to:
  - (1) Negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder;
  - (2) Audit bills or claims under the contracts; or
  - (3) Appoint an officer or employee who has any of the powers or duties set forth above.
- B. A Town officer or employee has an interest in a contract when they, their spouse, minor child, dependent, or a private organization in which the officer or employee has an interest, would secure a benefit under the contract.
- C. Exceptions to this prohibition are detailed in Article 18, Section 802. These include an exception for contracts entered into prior to the time a Town employee was elected or appointed, and an exception for contracts which in the aggregate do not exceed \$750 in a fiscal year
- D. Every officer and employee shall disclose interests in contracts with the Town at the time and in the manner as follows: any Town officer or employee or their spouse, minor child or dependent, who has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the Town, shall publicly disclose the nature and extent of such interest in writing to their immediate supervisor, or if a member of a Board ~~board~~ to said Board ~~board~~, and to the Board of Ethics as soon as the employee has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the official record of the proceedings of such body. Disclosure and recusal do not cure a prohibited interest.
- E. Contracts willfully entered into in violation of this section will be null, void and unenforceable.

**§ 8-14. Political solicitations.**

- A. No officer or employee shall directly or indirectly compel or induce a subordinate Town officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.
- B. No officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any Town officer or employee, or an applicant for a position as a Town officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

**§ 8-15. Confidential information.**

No officer or employee who acquires confidential information in the course of exercising or performing their official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of

exercising or performing their official powers and duties. As used in this subsection, “confidential information” includes but is not limited to information that is made confidential by federal or state law and information the town has legally withheld under open records or open meetings laws.

#### **§ 8-16. Gifts.**

~~No Town officer or employee shall directly or indirectly, solicit any gift, or accept or receive any gift having a value of \$75 or more, whether in the form of money, property, service, loan, travel, entertainment, hospitality, or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence them, or could reasonably be expected to influence them, in the performance of their official duties or was intended as a reward for any official action on his their part.~~

- A. No Town officer or employee shall directly or indirectly, solicit any gift, tip or other benefit of any value for service performed in their official capacity.
- B. No Town officer or employee shall directly or indirectly accept any gift, tip, or other benefit from a person who has received or sought a benefit from the Town within the previous twenty-four months.
- C. No Town officer or employee shall accept or receive any gift having a value of \$75 or more, or aggregate gifts in that amount from the same donor in a twelve-month period.
- D. The term “gift” as used in subsections B and C above includes money, property, service, loan, travel, entertainment, hospitality, or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was (i) intended to influence them, or could reasonably be expected to influence them, in the performance of their official duties or was (ii) intended as a reward for any official action on their part.

#### **§ 8-17. Disclosure in certain applications.**

- A. Section 809 of Article 18 imposes strict disclosure requirements on persons applying for variances, exemptions, and other approvals from local planning and zoning regulations. In general, it provides that the applicant must identify any local officer or employee who has an interest in the application. As applied to Shelter Island, every applicant for a variance, land-use amendment, change of zoning, or approval of subdivision map from the Town Board, Zoning Board of Appeals, Planning Board, Town Clerk or Building Department must disclose information pertaining to any interest that a Town officer or employee, their spouse, parents, siblings, children, grandchildren (or the spouses of any of them) may have in the application.
- B. Section 809(5) of Article 18 provides that one who knowingly and intentionally violates this disclosure requirement shall be guilty of a misdemeanor.

## ARTICLE II

### Administration

#### **§ 8-18. Board of Ethics. [Amended 5-19-2025 by L.L. No. 8-2025]**

- A. Article 18, § Section 808 permits the creation of a Town Board of Ethics (also referred to as "Ethics Board"). This Code hereby authorizes the creation of such a Board ~~board~~. The Town Board believes that an independent Ethics Board will assure the public interest in applying this Code without bias or favoritism.
- B. The Board of Ethics shall consist of five members, all of whom reside in the Town of Shelter Island and who shall serve without compensation, to be appointed by the Town Board for staggered five- year terms. No member of the Board of Ethics shall otherwise be an officer or employee of the Town.
- C. Conditions of Board of Ethics membership.
- (1) No person may be appointed as a member of the Ethics Board who is a current elected Town officer; or an officer of any local, county or state political party, association, club or independent political committee subject to regulations of the state election law; or a campaign manager, consultant or treasurer for a political party committee or individual election campaign committee or has served in such political capacity during the past 24 months.
  - (2) An Ethics Board member shall promptly resign if entering a campaign race as a candidate for public office; or as a campaign manager, consultant, or treasurer for a political party committee or individual election campaign committee; or when recusal has become prevalent for such individual for matters before the Board of Ethics.
  - (3) An Ethics Board member may be removed for cause by the Town Board upon any of the following grounds:
    - (a) Failure to meet the qualifications set forth in § ~~8-19~~ 8-18 of this chapter; or
    - (b) Substantial neglect of duty; or
    - (c) Gross misconduct in office; or
    - (d) Inability to discharge the powers or duties of office; or
    - (e) A violation of this chapter.
- D. The Ethics Board shall have the following substantive authority:
- (1) Town officers and employees may request advice from the Ethics Board concerning their personal compliance, or the compliance of an employee that they supervise, with this Code of Ethics. In response to such a request, and after due consideration, the Ethics Board shall issue a confidential advisory opinion to the requesting party.
  - (2) In the event any person believes in good faith that a Town employee or officer is engaged in activity that violates this Code, they may file a complaint with the Board of Ethics. ~~The Board of Ethics will investigate such a complaint and issue an opinion on the complaint if it believes there is probable cause of a Code violation. In the absence of such, it will dismiss the complaint.~~
    - (a) The Board of Ethics will conduct an initial inquiry and if there is reason to believe that a Code or common law violation may have occurred, proceed with an investigation.
    - (b) If the Board determines as a result of its initial inquiry that there is no reason to believe a Code or common law violation may have occurred, or that the complaint is frivolous on its face or the alleged violation would be de minimis, it may dismiss it

without further action.

(c) Complaints may be made anonymously, and in cases where they are not, upon request, the name of a complainant may be kept confidential to the extent consistent with due process rights of the investigated employee and completion of the matter.

- (3) The Board of Ethics may act on its own motion to initiate an investigation into an officer or an employee's alleged potential violation of this Code.
- (4) Upon the written request of the Town Board, of a Town officer or employee, or of any contracting party, the Ethics Board shall investigate and provide to the Town Board a written report and recommendation concerning any Town contract or agreement that may be void pursuant to Article 18, Section 804. Additionally, the Ethics Board may, in its discretion, undertake such an investigation upon its own initiative, in which case it may present a report and recommendation to the Town Board.

#### **§ 8-19. Investigations.**

- A. Upon receipt of a written complaint alleging a violation of this Code or related authorities or upon determining on its own initiative that a violation ~~of the Code~~ may exist, the Ethics Board shall have the power and duty to conduct with reasonable promptness any investigation necessary to carry out the provisions of this Code. ~~Written complaints must include the name of the individual complainant. Upon request, the name of a complainant may be kept confidential. If the Board determines that a complaint is frivolous on its face or the alleged violation would be de minimis, it may dismiss it without further investigation.~~
- B. In conducting any such investigation, the Ethics Board may administer oaths or affirmations, compel attendance of witnesses, and require the production of any books or records that it may deem relevant and material. ~~The Ethics Board shall make a reasonable effort to obtain voluntary cooperation prior to exercising or enforcing their right to compel testimony.~~ Further, the Ethics Board shall take steps to ensure that every individual's right to due process is protected.
- C. Any person filing a complaint with the Ethics Board, and every person who is alleged in such a complaint to violate this Code, shall be notified in writing of the disposition of the complaint.
- D. Nothing in this section shall be construed to permit the Ethics Board to conduct an investigation of itself or of any of its members or staff. If the Ethics Board receives a complaint alleging that the Ethics Board or any of its members or staff has violated any provision of this Code, or any other law, the Ethics Board shall promptly transmit to the Town Board a copy of the complaint.

#### **§ 8-20. Administration and reporting.**

The Board of Ethics shall have the following administrative duties:

- A. To prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner consistent with this Code.
- B. To review, index, maintain on file, and dispose of complaints alleging

violations of this Code and to make notifications and conduct investigations. The Board of Ethics shall have the confidential advice of legal counsel employed by the Town or outside counsel and the services of a confidential clerk employed by the Town to keep minutes and files.

- C. To forward its opinions responding to complaints or opinions on its own motion to the Town Board with any recommendations for disciplinary actions and penalties.
- D. To make public on the Ethics Board website its opinions in a brief summary form that removes all personal identifying information.
- E. To prepare an annual report to the Town Supervisor and Town Board, summarizing the activities of the Ethics Board. The report may also recommend changes to the text or administration of this Code.
- F. ~~The Ethics Board shall~~ To periodically review this Code and the Board's rules, regulations, and administrative procedures to determine whether they promote integrity, public confidence, and participation in Town government and whether they set forth clear and enforceable ~~common sense~~ common-sense standards of conduct.
- G. To provide periodic ethics training.

#### § 8-21. Penalties.

- A. Disciplinary action. Any officer or employee who engages in any action that violates any provision of this chapter may be warned, reprimanded, suspended, or removed from office or employment, and may be subject to any other sanction authorized by law or collective bargaining agreement, by the appointing authority or person or body authorized by law to impose such sanctions. A warning, reprimand, suspension, removal, or other authorized sanction may be imposed in addition to any other penalty contained in this chapter or in any other provision of law.
- B. Civil fine. Any person who violates any provision of this chapter may be subject to a civil fine not to exceed ~~\$1,500~~ \$3,000 for each violation. A civil fine may be imposed in addition to any other penalty contained in any other provision of law or in this chapter, other than a civil forfeiture. A fine may only be imposed by the Town Board, subject to a hearing and any applicable provisions of law and collective bargaining agreements, or appropriate court of law.
- C. Damages.
  - (1) Any person who violates any provision of this chapter shall be liable in damages to the Town for any losses or increased costs incurred by the Town as a result of the violation. Such damages may be imposed in addition to any other penalty contained in any other provision of law or in this chapter, other than a civil forfeiture.
  - (2) A finding of damages may only be made by the Town Board or an appropriate court of law.
- D. ~~Civil~~ Penalty or civil forfeiture.
  - (1) Any person who intentionally or knowingly violates any provision of this chapter may be subject to a penalty or civil forfeiture to the Town of a sum equal to three times the value of any ~~financial~~ benefit he or she received as a result of the conduct that constituted the violation. A civil forfeiture may be imposed in addition to any other penalty contained in any other provision of law or in this chapter, other than a civil fine

pursuant to § 8-21B or damages pursuant to § 8-21C. Treble damages and/or civil forfeiture may only be imposed by the Town Board or a court of appropriate authority.

- (2) The Town Board may initiate an action or special proceeding, as appropriate, in a court of appropriate jurisdiction to obtain civil forfeiture, pursuant to this section.

~~E. Misdemeanor. Any Town officer or employer who intentionally violates any provision of § 8-13 shall be guilty of a Class A misdemeanor and, upon conviction thereof, shall forfeit his or her Town office or employment, subject to any applicable provisions of law and collective bargaining agreements.~~

F. Prosecutions. The Town Board may refer any information that it receives concerning a possible criminal violation to the appropriate prosecutor or other law enforcement agency. Nothing contained in this chapter shall be construed to restrict the authority of any prosecutor to prosecute any violation of this chapter or of any other law.

G. Limit on Ethics Board. Nothing in this section shall be construed to permit the Ethics Board to take any action with respect to any alleged violation of this chapter, or of any other law, by the Ethics Board or by any member or staff member thereof.

H. Town Board response to the Ethics Board. The Town Board shall, within 45 days of receipt of a written referral, pursuant to this section, from the Ethics Board, respond in writing and state in sum and substance the Town Board's intention with respect to the referral.

#### **§ 8-22. Posting and distribution.**

- A. The Town Clerk will ensure that a copy of (i) Article 18, (ii) this Code, and any subsequent amendments thereto, are posted publicly and conspicuously in Town Hall and any additional buildings in which Town employees and officers conduct business.
- B. The Town Clerk will ensure that Article 18, this Code, and any subsequent amendments thereto, are posted on the Town's website, and all officers and employees of the Town will be notified by email that they should review the same, and shall periodically attest, upon hiring and at least every five years thereafter, that they have received and reviewed the Code of Ethics. The failure of an officer or employee to review the posted material does not affect either the applicability or enforceability the same.

#### **§ 8-23. Effective date.**

This Code takes effect upon the filing with the New York State Secretary of State.

Section 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10.

Section 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part

thereof other than the part, provisions so adjudged to be invalid or unconstitutional.

Section 5. Effective Date.

This local law shall take effect upon the filing with the Secretary of State pursuant to Municipal Home Rule Law; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to publish the following Notice of Public Hearing:

**SUMMARY OF PROPOSED LAW**

The purpose of this local law is to improve current Code of Ethics, within the Town Code, protect the interest of the Town from unethical activity and providing its employees with clear guidance in performing their duties. This law will serve to protect against potential Town Employee and Officer misconduct, and protect the innocent Employee and Officer from aspersions.

Vote Record - Town Board Resolution 2026-98						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Mover	X		
	Failed to Move	Elizabeth Hanley	Second	X		
	Rescheduled					

**Resolution 2026-99**

WHEREAS, the Town Board approved the resolution for the wetlands permit for Bootsie LLC, 85 Shore Road (SCTM #700-13-1-18) on February 2, 2026; and

WHEREAS, the approval resolution contains an error regarding the correct approved set of plans, which should state: “in accordance with the Site Plan prepared by Buttercup Design Group dated December 9, 2025, and Planting and Revegetation Plan prepared by Buttercup Design Group dated January 9, 2026” and as a result, condition #1 of the previously-approved resolution is amended and condition #2 of the previously-approved resolution is removed; and now, therefore, be it

RESOLVED, that the corrected resolution for a wetlands permit shall state: “WHEREAS, the Bootsie LLC, 85 Shore Road (SCTM #700-13-1-18), has petitioned the Town of Shelter Island for a wetlands permit for proposed excavation, regrading, and planting within 100 feet from wetlands; and

WHEREAS, a Notice of Disapproval was issued by the Town of Shelter Island Building Department on September 19, 2025; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act the project is a Type II Action, and does not require coordination with other involved agencies; and

WHEREAS, on January 12, 2026, a public hearing was held on the subject application where public comments were received and taken under consideration; and

WHEREAS, the subject application was referred to the Town’s environmental consultant Theresa Masin, and a report therefrom was issued on October 20, 2025; and the subject application was referred to the Conservation Advisory Council and the Planning Board, and reports were received therefrom on November 5, 2025, and

December 17, 2025, respectively, and the reports were taken into consideration;  
and

WHEREAS, the Town Board has reviewed said application with regard to the standards of review enumerated in Town Code § 129-5; and now, therefore, be it

RESOLVED, that the Town Board finds that the project meets the standards enumerated in Town Code § 129-5 as, inter alia, the proposed project will not:

- Create a risk of impairing the function and value of the wetland and buffer;
- Diminish any wetland in size, unless the approving authority finds that the proposed activity is water-dependent or requires access to the wetland as a central element of its basic function and will result in the minimum possible alteration or impairment of the wetland.
- Negatively impact the quantity and quality of groundwater.
- Create a net increase in the risk of runoff; and

RESOLVED, that the Town Board further finds that:

- There are no practicable alternatives which allow the project to be constructed outside the regulated area; and
- The applicant has submitted information to describe alternative site locations and configurations sufficient for a determination that the proposed work and location would have a less adverse environmental impact than any other practicable alternative; and
- The applicant will voluntarily implement, within three months of the issuance of the permit, adequate mitigation measures that will contribute to the protection and enhancement of wetlands and wetland benefits; and

RESOLVED, that the Town Board hereby approves the issuance of a Wetlands Permit for the proposed excavation, regrading, and planting within 100 feet of wetlands at 85 Shore Road in accordance with the Site Plan prepared by Buttercup Design Group dated December 9, 2025, and Planting and Revegetation Plan prepared by Buttercup Design Group dated January 9, 2026, on the following conditions:

1. In addition to the 25' vegetated buffer proposed, the applicant shall submit a revised site plan that provides for an additional 25' no mow zone on the western side of the pond that corresponds approximately to the 17' contour line on the above-referenced site plan. The proposed vegetated buffer and no mow zone shall allow for 4' wide cleared access path to allow for access to the pond and Shore Road. Additionally, the applicant shall submit a revised planting plan that depicts proposed eastern red cedars in place of the proposed Chinese junipers in the northern corner of the property.
2. Any well installed on the property shall only have a total volume of 1 horsepower or less than 24 gpm to reduce the draw on the sensitive aquifer.
3. Any work or disturbance, and storage of construction materials shall be confined to the limit of clearing or ground disturbance shown on the approved plans.
4. The Town Board, and/or its designee, reserves the right to require additional native revegetation and/or other restoration measures, in the event that upon final inspection, a finding is made that the goals of establishing a contiguous healthy cover of native or natural vegetation, within the designated re-vegetation areas, have not been achieved.
5. A final wetland inspection shall be applied for and obtained upon completion of all permitted activities. In the event that the Town, or its designee, determines that the property is not in compliance with all of the terms and conditions of this

permit, the applicant shall submit additional applications for a final wetland’s inspection.

- 6. Two (2) copies of a final “As-Built” survey shall be submitted with the required final Wetlands inspection.”

Vote Record - Town Board Resolution 2026-99						
X			Yes/Aye	No/Nay	Abstain	Absent
	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Second	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Mover	X		
	Rescheduled					

**Resolution 2026-100**

WHEREAS, Courtenay O’Sullivan, 74 Peconic Avenue (SCTM #700-25-1-6), has petitioned the Town of Shelter Island for a wetlands permit to construct a new second floor addition of 1,022 square feet within the existing footprint of the residence, which is located 56.2’ from wetlands; to construct a new 241 square foot second floor roof deck located 56.2’ from wetlands; to demolish the existing first floor deck and construct a new 414 square foot deck and pergola located 49.6’ from wetlands; to demolish a 30 square foot entry deck and construct a new 57 square foot porch; to demolish a 4 square foot step and replace with two 20 square foot steps; to relocate AC units to pad 75’ from wetlands; to construct a new section of poured concrete foundation with emergency escape window well within the existing footprint of the residence; to add 3 drywells for outdoor shower and roof runoff; to install a new low-nitrogen I/A sanitary system; and to establish a naturally vegetated non-disturbance/non-fertilization buffer, Town of Shelter Island, Suffolk County, New York; and

WHEREAS, a Notice of Disapproval was issued by the Town of Shelter Island Building Department on May 23, 2025; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, the project is a Type II Action, and does not require coordination with other involved agencies; and

WHEREAS, the Zoning Board of Appeals, by determination dated October 27, 2025, Appeal #10-2025, approved area variances in connection with the proposed first floor deck and pergola, new steps, and outdoor shower; approved a request for special permit for the proposed second floor addition, new steps, and outdoor shower; and denied a request for special permit for the proposed second floor roof deck; and noted in the determination that the applicant withdrew requests for approval of a swimming pool and relocation of the AC units; and

WHEREAS, on July 21, 2025, September 8, 2025, October 20, 2025, January 12, 2026, and February 2, 2026, a public hearing was held on the subject application where public comments were received and taken into consideration; and

WHEREAS, the subject application was referred to the Town’s environmental consultant Theresa Masin, and a report was issued therefrom on June 18, 2025; and the subject application was referred to the Conservation Advisory Council and the Planning Board, and reports were received therefrom on July 2, 2025, and June 23, 2025, respectively, and the reports were taken into consideration; and

WHEREAS, the Town Board has reviewed said application with regard to the standards of review enumerated in Town Code § 129-5; now, therefore, be it

RESOLVED, that the Town Board finds that the project meets the standards enumerated in Town Code § 129-5 as, inter alia, the proposed project will not:

- Create a risk of impairing the function and value of the wetland and buffer;
- Diminish any wetland in size, unless the approving authority finds that the proposed activity is water-dependent or requires access to the wetland as a central element of its basic function and will result in the minimum possible alteration or impairment of the wetland;
- Negatively impact the quantity and quality of groundwater;
- Create a net increase in the risk of runoff; and

RESOLVED, that the Town Board further finds that:

- There are no practicable alternatives which allow the project to be constructed outside the regulated area; and
- The applicant has submitted information to describe alternative site locations and configurations sufficient for a determination that the proposed work and location would have a less adverse environmental impact than any other practicable alternative; and
- The applicant will voluntarily implement, within three months of the issuance of the permit, adequate mitigation measures that will contribute to the protection and enhancement of wetlands and wetland benefits; and

RESOLVED, that the Town Board hereby approves the issuance of a Wetlands Permit for the proposed demolition, construction, and addition at 74 Peconic Avenue in accordance with the Proposed Site Plan prepared by Matthew Benjamin Sherman dated January 7, 2026, Landscape Plan prepared by Kristian Clark dated May 1, 2025, and architectural drawings prepared by Pospisil & Brown Architects, P.C. dated February 3, 2025, subject to the following conditions:

1. Submission of a revised set of architectural drawings that eliminate the second floor roof deck per Zoning Board of Appeals denial.
2. Submission of a revised Planting Plan which provides for a 25' vegetated buffer and removes the proposed swimming pool which the applicant withdrew from the ZBA application. Additionally, the planting plan needs to be revised to eliminate the proposed Rosa rugosa and replace with beach grass (*Ammophila breviligulata*). The vegetated buffer shall allow for the establishment of a 4' wide pedestrian path.
3. All fill excavated as a result of this project must be trucked to an off-site location.
4. Any well installed on the property shall have a low-flow pump (5 gallons per minute ~~or less~~) and have a holding tank installed in the basement to reduce the draw on the sensitive aquifer.
5. Leaders and gutters shall be installed, directing roof runoff into subsurface drywells or other approved drainage structures, to minimize stormwater runoff.
6. Any work or disturbance, and storage of construction materials shall be confined to the limit of clearing or ground disturbance shown on the approved plans.
7. Prior to the commencement of any construction activities, a continuous line of trenched in wire backed silt screen shall be staked as necessary to prevent runoff from the property. The screen shall be maintained, repaired and replaced as often as necessary to ensure proper function, until all disturbed areas are permanently vegetated. Sediments trapped by the screen shall be

removed away from the screen to an approved upland location before the screen is removed. The wire backed silt fence shall be a minimum of 14-gauge wire, with a six-inch (6”) mesh spacing. The 36-inch posts shall be driven a minimum of 16-inches into the ground and set no more than ten feet apart. Silt fencing shall be recessed by trenching six inches into the ground.

8. All areas of soil disturbance resulting from project shall be re-vegetated, and mulched immediately upon completion of the project, within two (2) days of final grading, or by the expiration date of the wetland permit, whichever is first. If re-vegetation is impractical due to time of year, temporary mulch shall be applied and final re-vegetation performed as soon as weather conditions favor germination and growth.
9. The Town Board, and/or its designee, reserves the right to require additional native revegetation and/or other restoration measures, in the event that upon final inspection, a finding is made that the goals of establishing a contiguous healthy cover of native or natural vegetation, within the designated re-vegetation areas, have not been achieved.
10. A final wetland inspection shall be applied for and obtained upon completion of all permitted activities. In the event that the Town, or its designee, determines that the property is not in compliance with all of the terms and conditions of this permit, the applicant shall submit additional applications for a final wetland’s inspection.
11. Two (2) copies of a final “As-Built” survey shall be submitted with the required final Wetlands inspection.
12. Applicant shall not remove any ground or surface water in the process of excavation.

Vote Record - Town Board Resolution 2026-100						
			Yes/Aye	No/Nay	Abstain	Absent
	Adopted					
X	Adopted as Amended	Amber Brach-Williams	Second	X		
	Defeated	Margaret Larsen	Mover	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-101**

WHEREAS, Meryl S. Rosofsky and Stuart H. Coleman, 31B Dickerson Drive (SCTM #700-22-2-22.2), have petitioned the Town of Shelter Island for a wetlands permit to demolish a 243 square foot sunroom; to demolish a 16 square foot chimney; to demolish an 824 square foot pool patio located 64’ from wetlands; to demolish a wood retaining wall 64’ from wetlands; to demolish a 15’ x 39’ pool and construct a new 14’ x 42’ pool located 71’ from wetlands; to demolish a gazebo with 44 square feet of stairways and walkways located 43’ from wetlands; to demolish 2,262 square feet of asphalt driveway and construct a new permeable driveway located approximately 76’ from wetlands; to demolish two circular stone walls and a raised 418 square foot deck with stairs and a wood retaining wall; to construct a new first floor addition of 166 square feet located 94’ from wetlands; to construct a new second floor addition with 14 square feet and 125 square feet of second floor deck/balcony above the first floor addition located 94’ from wetlands; to construct a new raised deck of 1,491 square feet with a 129 square foot trellis above and 52 square feet of stairs located 75’ from wetlands; to construct a new 347 square foot ADA compliant ramp from the residence to the existing dock; to bring in approximately 110 cubic yards of sand and loam to backfill abandoned pool and establish proposed grade for

new driveway; to establish a naturally vegetated non-disturbance/non-fertilization buffer; and to install 3 drywells within 100' regulated area for swimming pool and runoff, Town of Shelter Island, New York; and

WHEREAS, a Notice of Disapproval was issued by the Town of Shelter Island Building Department on August 11, 2025; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, the project is a Type II Action, and does not require coordination with other involved agencies; and

WHEREAS, on January 12, 2026, and February 2, 2026, a public hearing was held on the subject application where public comments were received and taken into consideration; and

WHEREAS, the subject application was referred to the Town's environmental consultant Theresa Masin, and a report was issued therefrom on November 8, 2025; and the subject application was referred to the Conservation Advisory Council and the Planning Board, and reports were received therefrom on November 5, 2025, and January 7, 2026, respectively, and the reports were taken into consideration; and

WHEREAS, the Town Board has reviewed said application with regard to the standards of review enumerated in Town Code § 129-5; now, therefore, be it

RESOLVED, that the Town Board finds that the project meets the standards enumerated in Town Code § 129-5 as, inter alia, the proposed project will not:

- Create a risk of impairing the function and value of the wetland and buffer;
- Diminish any wetland in size, unless the approving authority finds that the proposed activity is water-dependent or requires access to the wetland as a central element of its basic function and will result in the minimum possible alteration or impairment of the wetland;
- Negatively impact the quantity and quality of groundwater;
- Create a net increase in the risk of runoff; and

RESOLVED, that the Town Board further finds that:

- There are no practicable alternatives which allow the project to be constructed outside the regulated area; and
- The applicant has submitted information to describe alternative site locations and configurations sufficient for a determination that the proposed work and location would have a less adverse environmental impact than any other practicable alternative; and
- The applicant will voluntarily implement, within three months of the issuance of the permit, adequate mitigation measures that will contribute to the protection and enhancement of wetlands and wetland benefits; and

RESOLVED, that the Town Board hereby approves the issuance of a Wetlands Permit for the proposed demolition, construction, and addition at 31B Dickerson Drive in accordance with "31B Dickerson" prepared by Mary Ballard Ward, AIA, dated February 25, 2025 and last revised January 12, 2026 (Sheet G1.0, L1.0, and L2.1), and structural plans and elevations prepared by DiLandro Andrews Engineering dated November 13, 2024, subject to the following conditions:

1. The Applicant shall provide a 30' vegetated buffer as shown on the above-referenced revised plans prepared by Mary Ballard Ward, AIA. The 30' vegetated buffer shall include a 4' wide pedestrian path.
2. The Applicant shall record a new covenant which prohibits the enclosure of the approved deck within the 100' regulated area. The Town Attorney shall

review and approve proposed covenant before Applicant records said covenant.

3. The Applicant shall direct the discharge from the existing pool into drywells.
4. Dewatering for the purposes of swimming pool construction and installation is strictly prohibited.
5. Leaders and gutters shall be installed, directing roof runoff into subsurface drywells or other approved drainage structures, to minimize stormwater runoff.
6. Any work or disturbance, and storage of construction materials shall be confined to the limit of clearing or ground disturbance shown on the approved plans.
7. Prior to the commencement of any construction activities, a continuous line of trenched in wire backed silt screen shall be staked as necessary to prevent runoff from the property. The screen shall be maintained, repaired and replaced as often as necessary to ensure proper function, until all disturbed areas are permanently vegetated. Sediments trapped by the screen shall be removed away from the screen to an approved upland location before the screen is removed. The wire backed silt fence shall be a minimum of 14-gauge wire, with a six-inch (6”) mesh spacing. The 36-inch posts shall be driven a minimum of 16-inches into the ground and set no more than ten feet apart. Silt fencing shall be recessed by trenching six inches into the ground.
8. All areas of soil disturbance resulting from project shall be re-vegetated, and mulched immediately upon completion of the project, within two (2) days of final grading, or by the expiration date of the wetland permit, whichever is first. If re-vegetation is impractical due to time of year, temporary mulch shall be applied and final re-vegetation performed as soon as weather conditions favor germination and growth.
9. The Town Board, and/or its designee, reserves the right to require additional native revegetation and/or other restoration measures, in the event that upon final inspection, a finding is made that the goals of establishing a contiguous healthy cover of native or natural vegetation, within the designated re-vegetation areas, have not been achieved.
10. A final wetland inspection shall be applied for and obtained upon completion of all permitted activities. In the event that the Town, or its designee, determines that the property is not in compliance with all of the terms and conditions of this permit, the applicant shall submit additional applications for a final wetland’s inspection.
11. Two (2) copies of a final “As-Built” survey shall be submitted with the required final Wetlands inspection.

Vote Record - Town Board Resolution 2026-101						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Mover	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Second	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-102**

WHEREAS, XV Property LLC c/o Harry & Cathy Totonis, 2 Charlie's Lane (SCTM #700-23-1-24.8), has petitioned the Town of Shelter Island for a permit for modification of their preexisting dock to remove 16 piles and 192 square feet off the seaward end of the stationary dock; to construct a 4' x 6' platform with a 3' x 12' aluminum ramp leading onto a 5' x 40' floating dock secured with two anchor piles; and to supply and install four tie-off piles and add six fender piles, as per plans prepared by KS Costello Marine Contracting Corp. dated June 24, 2024, and approved by the NYSDEC on November 19, 2024; and

WHEREAS, the applicant submitted revised plans to remove 16 piles and 192 square feet off the seaward end of the stationary dock; to construct a 4' x 6' platform with a 3' x 12' aluminum ramp leading onto a 5' x 38'4" floating dock secured with two anchor piles; and to supply and install two tie-off piles and add six fender piles, as per plans prepared by KS Costello Marine Contracting Corp. dated June 3, 2025; and

WHEREAS, on June 30, 2025, October 10, 2025, December 1, 2025, and February 2, 2026, a public hearing was held on the subject application where public comments were received and taken under consideration; and

WHEREAS, the subject application was referred to the Waterways Management Advisory Committee and the report was taken into consideration; now, therefore, be it

RESOLVED, that pursuant to NYCRR 617.5(c)(1) and (c)(9), this application is deemed a Type II action; Reasons supporting this determination: The proposed construction consists of removing part of a preexisting dock and installing a floating dock of similar total square footage, and therefore does not require coordination with other involved agencies; and be it further

RESOLVED, that the Town Board finds that the proposed modification materially lessens the preexisting nonconformity as provided in Town Code § 53-9; and be it further

RESOLVED, that the Town Clerk is hereby authorized to issue a permit for the aforementioned construction as per plans prepared by KS Costello Marine Contracting Corp. dated June 3, 2025, subject to the following conditions:

1. That the applicant obtain an amended NYSDEC approval for the approved plans prepared by KS Costello Marine Contracting Corp. dated June 3, 2025;
2. After said applicant 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 operation of the contractor pursuant to said permit; and be it further

RESOLVED, that said operations shall be completed within two (2) years 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 NYSDEC, the Army Corps of Engineers, and any other agencies having jurisdiction.

Vote Record - Town Board Resolution 2026-102						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Mover		X	
	Failed to Move	Elizabeth Hanley	Second	X		
	Rescheduled					

**Resolution 2026-103**

WHEREAS, Shorewood Farms, Inc., Seagull Road, has petitioned the Town of Shelter Island for permission to maintenance dredge approximately 1,000 yards from the basin entrance, to a depth of 6’ below mean low water; and

WHEREAS, a public hearing was held on February 2, 2026, for all persons to be heard in favor of or opposition to the application; and

WHEREAS, the applicant obtained approval from the New York State Department of Environmental Conservation for this project on December 8, 2022; now, therefore, be it

RESOLVED, that the Town Clerk is hereby authorized to issue a permit for the aforementioned dredging work to run concurrently with the NYSDEC approval which shall expire on December 8, 2027.

Vote Record - Town Board Resolution 2026-103						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Second	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Mover	X		
	Rescheduled					

**Resolution 2026-104**

WHEREAS, pursuant to Resolution 421 from October 20, 2025, George Zinger was reappointed to serve as a member of the Board of Assessment Review for a term of October 1, 2025 to September 30, 2029; and

WHEREAS, Section 523 of the Real Property Tax Law prescribes BAR appointments, and states that terms of office must begin on October 1<sup>st</sup> and end on September 30<sup>th</sup>, five years later; now, therefore, be it

RESOLVED, that George Zinger’s appointment is hereby amended to state that he is to serve as a member of the Board of Assessment Review for a term to expire on September 30, 2030.

Vote Record - Town Board Resolution 2026-104						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Second	X		
	Defeated	Margaret Larsen	Mover	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-105**

WHEREAS, pursuant to Resolution 141 from March 14, 2023, Noel Cunningham was reappointed to serve as a member of the Board of Assessment Review for a term of March 14, 2023 to March 14, 2028; and

WHEREAS, Section 523 of the Real Property Tax Law prescribes BAR appointments, and states that terms of office must begin on October 1<sup>st</sup> and end on September 30<sup>th</sup>, five years later; now, therefore, be it

RESOLVED, that Noel Cunningham’s appointment is hereby amended to state that he is to serve as a member of the Board of Assessment Review for a term to expire on September 30, 2027.

Vote Record - Town Board Resolution 2026-105						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Mover	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Second	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-106**

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 Sarah Lewis is hereby appointed to serve as a member of the Planning Board for a term to expire on December 31, 2028.

Vote Record - Town Board Resolution 2026-106						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Mover	X		
	Failed to Move	Elizabeth Hanley	Second	X		
	Rescheduled					

**Resolution 2026-107**

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 thirty days after the term of office begins; and

WHEREAS, the below persons have not yet signed and filed said constitutional Oath of Office; and

WHEREAS, the Town Board desires to have the below persons serve the Town of Shelter Island in their designated capacities; now, therefore, be it

RESOLVED, that the Town Board hereby appoints the below persons to their designated positions.

<u>Name</u>	<u>Title</u>
Brigham, Catherine	Recreation Specialist Instructor
Clark, David	Safety & Training Officer
Congdon, Michelle	FT Assessment Aide

Cronin, Tom	Residential Repair Laborer
DePoto, Laurie	CDL Driver, AAA Driver, & Enhanced Mobility Driver
Dyett, Benjamin	Police Commissioner
Gibbs, Tracy	Detention Attendant & Custodian
Hakim, Ala	Social Worker
Karen, Reed	Hazard Mitigation Plan
Katta, Edward	Volunteer for Recreation Department
Kenney, Cathy	Community Preservation Fund
Lewis, Ken	Hazard Mitigation Plan
Mundy, Sara	Temporary Rec. Aide
Parsons, Emily	Temporary Rec. Aide
Payne, Beau	Detention Attendant
Potter, Katie	FIT Aide & Assistant Rec. Leader
Purtell, Timothy	Community Preservation Fund
Rasmussen, Catherine	Detention Attendant
Read, James	Hazard Mitigation Plan & Emergency Management Coordinator
Siller, Gerard	Enhanced Mobility Driver
Weisenberg, Julia	Recreation Specialist Instructor
Williamson, Matthew	WMAC Chairman

Vote Record - Town Board Resolution 2026-107						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Second	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Mover	X		
	Rescheduled					

**Resolution 2026-108**

WHEREAS, the Town of Shelter Island requests financial assistance from the New York State DEC Household Hazardous Waste State Assistance grant program; and

WHEREAS, the Town of Shelter Island certifies that it has identified \$23,125.75 of matching funds from the Town operating budget expenditure code A8160.434 Landfill Hazardous Waste Carting Fee; now, therefore, be it

RESOLVED, that Kenneth Lewis, Commissioner of Public Works, is hereby authorized and directed to submit an application for a fifty percent grant award amount of \$23,125.75 for the New York State DEC reimbursable grant for costs related to the municipal Household Hazardous Waste State Assistance Program for the contract year 2025.

Vote Record - Town Board Resolution 2026-108						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Second	X		
	Defeated	Margaret Larsen	Mover	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-109**

RESOLVED, that the Supervisor is hereby authorized and directed to expend the sum of \$65,313.00 from the 2026 A3120.491 Police Contracts account to the Town of Southold for the Police Dispatch agreement for the year of 2026.

Vote Record - Town Board Resolution 2026-109						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Mover	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Second	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-110**

RESOLVED, that the Supervisor is hereby authorized and directed to expend the sum of \$13,167.28 from the 2026 A3120.491 Police Contracts account to Trittech Software Systems, a CentralSquare Company, for the annual software maintenance fee.

Vote Record - Town Board Resolution 2026-110						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Mover	X		
	Failed to Move	Elizabeth Hanley	Second	X		
	Rescheduled					

**Resolution 2026-111**

RESOLVED, that the Supervisor is hereby authorized and directed to expend the sum of \$17,500.00 from the 2026 A1680.476 I.T. Computer Maintenance account to East End Computers, LLC, for the annual Datto service and backup for the Police Department, Town Hall, Highway, Justice Court, EMS, and Recycling Center with a term of January 1, 2026 to December 31, 2026.

Vote Record - Town Board Resolution 2026-111						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Second	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Mover	X		
	Rescheduled					

**Resolution 2026-112**

RESOLVED, that the Supervisor is hereby authorized and directed to expend the sum of \$14,500 from the 2026 A1680.476 I.T. Computer Maintenance account to East End Computers, LLC, for I.T. Management and other support services for the year of 2026.

Vote Record - Town Board Resolution 2026-112						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Second	X		
	Defeated	Margaret Larsen	Mover	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-113**

WHEREAS, the Town of Shelter Island has received a donation from the Shelter Island Ambulance Foundation in the amount of \$12,000.00 to be used towards the purchase of a replacement Lucas CPR Device, battery charger with anti-slip plate, and a 4-year maintenance contract to be paid to Stryker Sales LLC; now, therefore, be it

RESOLVED, that the following 2025 budget modification is hereby approved:

\$12,000.00 increase to the 2025 A2705A Ambulance Donations revenue account, and a \$12,000.00 increase to the 2025 A4540.200 Ambulance Equipment expenditure account.

Vote Record - Town Board Resolution 2026-113						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Mover	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Second	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-114**

RESOLVED, that the following 2026 budget modification is hereby approved:

\$14,726.83 increase to the 2026 DA2680 Insurance Recovery revenue account, to be funded by the reimbursement check from NYMIR for Claim No. TSHI-2026-001-001, and a \$14,726.83 increase to the 2026 DA5130.446 Machine Repairs expenditure account.

Vote Record - Town Board Resolution 2026-114						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Mover	X		
	Failed to Move	Elizabeth Hanley	Second	X		
	Rescheduled					

**Resolution 2026-115**

RESOLVED, that the following 2026 budget transfers are hereby approved:

\$5,508.00 from A8160.100PS Landfill Personal Services to DA5140.100 Brush and Weeds Personal Services due to an employee being paid out of an incorrect budget line for January payroll; and

\$162.00 from A8160.129 Landfill Double-time to DA5140.168 Brush and Weeds Double-time due to an employee being paid out of an incorrect budget line for January payroll; and

\$114,700.00 from the Highway Capital Reserve Fund to A8160.200 Landfill Equipment for the purchase of the East Genesis Unloader Trailer 48’ that was

approved by Resolution 489 on December 22, 2025 and subject to permissive referendum.

Vote Record - Town Board Resolution 2026-115						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Second	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Mover	X		
	Rescheduled					

**Resolution 2026-116**

RESOLVED, that the following 2025 budget transfers are hereby approved:  
 \$1,230.00 from A3120.400 Police Maintenance to A3120.200 Police Equipment to transfer unused funds to equipment; and

\$2,178.70 from A3120.272 Police New Car to A3120.200 Police Equipment to transfer unused funds to equipment; and

\$2,416.58 from A3120.491 Police Contracts to A3120.200 Police Equipment to transfer unused funds to equipment; and

\$1,000.00 from A3120.400 Police Maintenance to A3120.273 Police Firearms and Ammunition to cover unpaid invoices; and

\$270.00 from A1220.492 Supervisor School, Travel, and Mileage to A1220.491 Supervisor Service Contracts to cover unpaid invoices.

\$20,000.00 from A3510.498 Animal Control Deer Reduction Management, and \$5,500.00 from A3120.100PS Police Personal Services to A3120.200 Police Equipment to cover the remaining balance of the multi-year capital project related to the radio system upgrades.

Vote Record - Town Board Resolution 2026-116						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Second	X		
	Defeated	Margaret Larsen	Mover	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Voter	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-117**

RESOLVED, that the 2025 General Fund claims numbered 2547 through 2561 in the amount of \$56,887.53; 2025 Highway claims numbered 308 through 311 in the amount of \$1,174.75; and 2025 Community Preservation fund claim number 46 in the amount of \$509.54 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 Record - Town Board Resolution 2026-117						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Mover	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Second	X		
	Failed to Move	Elizabeth Hanley	Voter	X		
	Rescheduled					

**Resolution 2026-118**

RESOLVED, that the 2026 General Fund claims numbered 120 through 260 in the amount of \$97,011.96; 2026 Highway claims numbered 13 through 31 in the amount of \$20,019.75 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 Record - Town Board Resolution 2026-118						
			Yes/Aye	No/Nay	Abstain	Absent
X	Adopted					
	Adopted as Amended	Amber Brach-Williams	Voter	X		
	Defeated	Margaret Larsen	Voter	X		
	Tabled	Benjamin Dyett				X
	Withdrawn	Albert Dickson	Mover	X		
	Failed to Move	Elizabeth Hanley	Second	X		
	Rescheduled					

**V. Public Comments**

COMMENTS:

1. Stephen Jacobs – Asked the Board if a recent *Shelter Island Reporter* article incorrectly referred to voters and a permissive referendum related to the potential 2 School Street acquisition, and reiterated his ongoing objection and concern related to this purchase.
2. Jan Sudol – Asked the Board for an update related to the potential 2 School Street acquisition, and asked whether the property has been inspected, what its intended use would be, and how it would be funded. He expressed concern that this is not a responsible use of taxpayer money.
3. Lynne Weickert – Asked the Board whether or not final documents related to 2 School Street would be publicly released or if they will require a FOIL request to be obtained.
4. Robert Waife – Commented that he had seen the potential 2 School Street acquisition on a prior Town Board agenda and attended that meeting to raise questions when the topic was first addressed. He also stated how the purchase would make sense if a simple water system were installed in Sachem’s Woods to bring water to the center municipal buildings.
5. Pam Demarest – Requested to the Board that the documents related to 2 School Street be posted on the Town website, for transparency, and not require a FOIL request to obtain.

**VI. Closing**

There being no further business, Supervisor Amber Brach-Williams offered a motion to adjourn the special meeting at 10:05 AM, seconded by Councilwoman Margaret Larsen. The motion was carried.

Shelby Mundy  
Town Clerk