



Southampton Town Board

116 Hampton Road
Southampton, NY 11968

Meeting: 12/21/17 10:00 AM

Department: Town Attorney

Category: Legal Actions

Prepared By: Kathleen Murray

Initiator: James Burke

Sponsors: Supervisor Jay Schneiderman

DOC ID: 28470

ADOPTED

TOWN BOARD RESOLUTION 2017-1216

Notice of Special Town Election as it Relates to Authoring the Establishment of a Beach Erosion Control District known as the North Sea Beach Colony Beach Erosion Control District

WHEREAS, on December 21, 2017, by Resolution No. 1215 of 2017, pursuant to Town Law §209-e, the Town Board of the Town of Southampton authorized the establishment of a beach erosion control district known as the North Sea Beach Colony Beach Erosion Control District (the "District"), to implement a beach nourishment project through the placement of compatible sediment to restore a beach suffering from chronic loss, and authorizing an attendant tax levy to be assessed upon said District for the cost of said improvements and services in the amount of \$406,050.00; and

WHEREAS, pursuant to Town Law §94, as well as the terms of Resolution No. 1215 of 2017, the Town Board, on its own motion, submitted said resolution directly to the electors within the North Sea Beach Colony Beach Erosion Control District for a referendum; now therefore be it

RESOLVED, that the Town Board, together with the Town Clerk, hereby promulgates that Resolution No. 1215 of 2017 shall be submitted to the electors within the North Sea Beach Colony Beach Erosion Control District at a Special Town Election to be held on Saturday, **March 3, 2018**, from 10:00 a.m. until 2:00 p.m., at Southampton Town Hall, 116 Hampton Road, Southampton, New York; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to prepare the following ballot proposition and abstract, together with a Spanish translation, for inclusion on the ballot at the March 3, 2018, special Town election; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to post and publish the following Notice of Special Election:

NOTICE OF SPECIAL ELECTION

TAKE NOTICE, that a Special Election of the owners of taxable real property within the North Sea Beach Colony Beach Erosion Control District shall be held on Saturday, **March 3, 2018**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York between the hours of 10:00 a.m. and 2:00 p.m. for the purpose of voting by ballot upon the following proposition:

PROPOSITION NO. 1

"Shall Resolution No. 1215 of 2017, authorizing the establishment of a beach erosion control district known as the North Sea Beach Colony Beach Erosion Control District, and aimed at implementing a beach nourishment project through the placement of compatible sediment to restore a beach suffering from chronic loss, together with an attendant tax levy to be assessed upon said District for the cost of said improvements and services in the amount of \$406,050.00, be approved?"

ABSTRACT OF PROPOSITION

On December 21, 2017, by Resolution No. 1215 of 2017, the Town Board of the Town of Southampton, pursuant to New York State Town Law Article 12-A, authorized the establishment of a beach erosion control district known as the North Sea Beach Colony Beach Erosion Control District (the "District"). As stated in the map, plan and report attendant to the establishment of said District, the improvements and/or services proposed include beach nourishment to restore a beach suffering from chronic loss, with an initial placement of approximately 12,000 - 15,000 cubic yards of beach compatible sand, and annual maintenance thereof for five years.

The proposed cost of this improvement, that is, the placement of sand (\$340,000), including projected interest (\$31,050) is \$371,050, and shall be financed through the issuance of bonds pursuant to New York State Local Finance Law §11.00(35), with a period of probable usefulness of five (5) years. Because the improvement necessitates annual beach monitoring to ensure current and accurate datum in order to satisfy FEMA reporting requirements, there is an annual monitoring cost of approximately \$7,000 per year for five years, or \$35,000. This monitoring cost is an operational cost and shall not be bonded but rather, shall be financed through the assessment, levying, and collecting of taxes from property owners within said District for the life of the project, that is, five (5) years.

This overall cost (\$340,000 + \$31,050 + \$35,000), totaling approximately \$406,050.00, including consulting, design, and permitting fees, shall be raised by the assessment and levying of taxes on a benefit basis. Said benefit method combines (i) an initial flat rate for a waterfront parcel (\$1,400.00) or an inland parcel (\$650.00), with (ii) the assessed value of each parcel.

Resolution No. 1215 of 2017 authorizing the establishment of this beach erosion control district, a special improvement district under New York State Town Law Article 12-A, is subject to (i) the affirmative vote of a majority of the owners of taxable real property within said District, and (ii) the approval of the New York State Comptroller's Office pursuant to Town Law §209-f.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact

None.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Jay Schneiderman, Supervisor
SECONDER:	Stan Glinka, Councilman
AYES:	Jay Schneiderman, Christine Preston Scalera, John Bouvier, Stan Glinka
ABSTAIN:	Julie Lofstad