

MEETING OF JANUARY 14, 2014
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON, NY

Present: Diane McNally, Trustee Clerk
Stephanie Forsberg
Timothy Bock
Brian Byrnes
Deborah Klughers
Stephen Lester
Sean McCaffrey
Nathaniel Miller
Bill Taylor

Also Present: John Courtney, Trustee Attorney
Lori Miller-Carr, Trustee Secretary
Christopher Walsh, EH Star Reporter
Kim Barbour
Mark Butler
Linda James
Susan Knobel
Lynn Mendelman
Ted Walkowitz

The meeting was opened at approximately 6:00 pm. by the Clerk.

Carole Brennan, Town Clerk, performed the swearing in ceremony for the Board of Trustees.

Mr. Courtney opened the floor to nominations for Clerk of the Trustees for the year 2014. A motion was made by Mrs. Forsberg to nominate Diane McNally as Clerk of the Trustees for the year 2014. This motion was seconded by Mr. Byrnes and unanimously approved. As there were no other nominations for Clerk, a motion was made by Mr. Bock to close nominations for Clerk of the Trustees. This motion was seconded by Mr. Taylor and unanimously approved. Congratulations were offered to Ms. McNally on her re-appointment as Trustee Clerk for 2014,

Mr. Courtney opened the floor to nominations for Assistant Clerk of the Trustees for 2014. A motion was made by Ms. McNally to nominate Mrs. Forsberg as Assistant Clerk of the Trustees for 2014. This motion was seconded by Mrs. Klughers and unanimously approved. As there were no other nominations for Assistant Clerk, a motion was made by Mr. Bock to close nominations for Assistant Clerk of the Trustees. This motion was seconded by Mrs. Klughers and unanimously approved. Congratulations were offered to Mrs. Forsberg on her re-appointment as Assistant Clerk for 2014.

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Former Trustee, Lynn Mendelman presented quills to the Board of Trustees. She noted she purchased the quills at Jamestown and they were used each year at their Trustees annual meeting held in the Village Meeting House. She offered her assistance any time it might be needed, especially in regard to the finances. The Trustees expressed appreciation to Ms. Mendelman.

Linda James, a homeowner on Hook Pond, was present concerning the proposed Maidstone Club Project which requires 14 variances to upgrade an irrigation system for the golf course. She had been before the Trustees almost two years ago expressing her concern about this proposal. She felt very strongly, at that time, the application was incomplete as it did not include an Environmental Impact Statement. Mrs. James pointed out that since then a draft EIS was prepared and a public hearing was held on Friday, January 10th. She spoke at the hearing of her concerns. Mrs. James also read a letter from her neighbor, Evelyn Lipper, in which Ms. Lipper indicated she felt the restoration of Hook Pond also needs to be addressed and there are federal grants available for restoration of shorelines. Mrs. James pointed out the Trustees have ownership and are responsible for the bottom of Hook Pond. She went on to say one of her major concerns is the silting of the bottom. She explained Mr. Minardi, an East Hampton High School Science teacher, brought students from the conservation club for water quality testing in Hook Pond as part of their science project. Mrs. James noted a young man has addressed the Village Board and stated he no longer can fish in Hook Pond because it is silted so badly. Mrs. James requested the Village ZBA include a responsibility agreement with the Maidstone Club in the event something goes wrong with the proposed irrigation project and it adversely affects the Pond. Mrs. Klughers asked if the Board felt additional comment should be sent to the Village ZBA concerning this matter. She noted the public hearing is being held open, so there is time to submit more. The Clerk pointed out the Trustees have received a copy of the draft EIS for review. Mrs. Klughers questioned what changes had occurred at the golf club that caused the need to increase the pumping of water by 50 million gallons a year. The Clerk replied she isn't sure this fact is relevant from the Trustees perspective. Mrs. Klughers asked what benefit more water on the golf course offers the public compared to the loss of the public aquifer and the potential detriment to the Pond. The Clerk responded the Trustees supported drafting an EIS and are now reviewing it along with the scope of the project. She stated the Trustees need to be sure they are commenting on those aspects within their purview and not on matters outside of that. Mr. McCaffrey stated he felt the pollution in the Pond is due to septic systems, not fertilizers. The Clerk pointed out the Hook Pond outflow pipe is another significant contributor to the silting.

Susan Knobel was present concerning her request to replace sand bags at Lazy Point. The Clerk told Ms. Knobel the Napeague Harbor Committee inspected the site. She noted Mrs. Knobel's neighbor (Weingast) has permission to install sand bags for emergency purposes and would like to handle Ms. Knobel's situation in the same manner. Ms. Knobel told the Board the property is being eroded at high tide, roots are exposed and if she doesn't put something in there to protect it, the whole berm will be gone. She stated the lot has eroded due to its proximity to the channel. She went on to say if the sand bags weren't in place, erosion would have

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undermined the house by now. Mrs. Knobel said the original 55' feet of property from the house to the shoreline is now gone. She stated she considers this an emergency. Mrs. Forsberg said she would like to see a long term solution, perhaps a more significant sand replacement project and sandbags in an emergency. Mrs. Knobel pointed out one of the big reasons the property has eroded is because the dredging of the west channel wasn't done correctly. She asked the Clerk what she would have to do to get started on a more significant project. The Clerk advised Mrs. Knobel she should contact an environmental service to get an estimate. Mr. Brynes asked, if the Trustees are the landowners, aren't they responsible for protecting the property? The Clerk replied the Trustees responsibility is to protect the public land. She noted, in this case, an individual wants to protect their private property (house). Mr. Brynes asked if the home wasn't there, would the Trustees let nature take its course. The Clerk replied they would. In a discussion, Mr. Taylor asked if there was any way the Trustees can stipulate they want sand from future dredging projects to go on the adjacent properties (at Lazy Point) which are suffering from erosion. The Clerk replied the Trustees have already stipulated their desire for sand for the shoreline. Mrs. Knobel added she felt the Town has placed her house in jeopardy; and she doesn't have the money to hire someone to fix it.

Kim Barbour of Cornell Cooperative Extension, in collaboration with Marine Meadows was present to request the Trustees participate in a proposed expansion of dune and marsh grass projects. She told the Board CCE would like input on potential sites for restoration. In a discussion, the Board agreed locations along Accabonac and Napeague Harbors are sites which could be included in the proposed project. Mrs. Forsberg pointed out she felt it is very important CCE continues to have dialog with the Trustees during the project progress. Ms. Barbour agreed and told Mrs. Forsberg this will be a joint effort. A motion was made by Mrs. Klughers to draft a letter of support for a shoreline restoration and stabilization grant by Cornell Cooperative Extensions Marine Meadows Program. This motion was seconded by Mr. McCaffrey and unanimously approved.

The following Annual Resolutions were offered and approved unanimously with one abstention: 1. **Employ Secretary**; 2. **Employ Attorney**; 3. **Designated Banks**; 4. **Petty Cash**; 5. **Bonding**- Clerk, Assistant Clerk and Financial Officer; 6. **Authority to withdraw from depositories**; 7. **Official Newspaper**; 8. **Next Meeting**; 9. **Special Meeting**; 10. **Appoint Committees**; 11. **Aquaculture Committee**; 12. **Open and Close Georgica Pond**; 13. **Execute on-going leases at Lazy Point**; 14. **Travel/Mileage**; 15. **Salary Schedule**- the Clerk abstained from this motion; 17. **Office Operations**; 18. **Office Access to Trustee Documents**; 19. **Rysam Fund** & 22. **Part-time Office Help**.

Amendments were made to the following Annual Resolutions: 16. **Fee Schedule**- add after first paragraph: "RESOLVED, the Trustees Fee Schedule for 2014 shall be as follows:" **Applications**: increase from \$75.00 to \$100.00- 1st application, and \$50.00 to \$75.00 for renewal (one time only); **Docks/Walkway**: Private- increased from \$2.00 to \$3.00 per linear foot; **Commercial**- increased from \$3.00 to \$4.00 per linear foot; Municipal- increased from \$3.00 to \$4.00 per linear foot and **Minimum**- increased from \$50.00 to \$75.00; **Pilings**- add

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"Free Standing Pilings"- increased from \$10.00 per piling to \$15.00 per piling; **Duck Blinds**:

change Public permit from \$50.00 per day to \$50.00 a week; **Shellfish Bags**: both commercial and for general public- \$1.00 per bag; and Impound **Fee**: change to \$250.00 per item. The following fees were approved with no changes from 2013 fees: **Moorings; Fish Traps; Dredge/Material (Mr. Lester was opposed); Other Structures; Shoreline fences; Shellfish Tags**; 20: **Harbor Management Committee**: amend last paragraph to state “a stipend of fifty dollars (\$50.00) be provided to each member of the public from funds held by the Trustees of the Freeholders and Commonalty of the Town of East Hampton for each monthly meeting they attend.” 21. **Spawning Sanctuary No-Take Zone**- amend 5th paragraph- September 2014 to April 2015. The following fees were tabled: **Duck Blinds- Non Motorized Vessel Permit Fee; Lazy Point Leases**

A motion was made by Mrs. Forsberg to approve payment of the following bills: 1) Staples- \$48.94, \$139.50, \$144.97 & \$40.01; 2) North Fork Water Supply. - \$59.47; 3) FedEx- \$33.45 & \$46.00; 4) Optimum-\$144.80; 5) A. Tohill- Macklowe: \$861.15 & \$3,291.25 and White Sands- \$1,102.50; 6) Riverhead Building Supply- \$116.65. This motion was seconded by Mr. Miller and unanimously approved.

The Clerk reported East Hampton Village ZBA Notices of Public Hearings were received concerning the following: 174 Further Lane on January 10, 2014 for a variance to permit a deer fence. She noted she received a telephone call and email from David Jackson concerning this matter. She added a letter was sent on January 8, 2014 to the Village ZBA requesting the hearing be left open for Trustee comment. Maidstone Club Irrigation Improvement Project was heard on January 10, 2014 for variances to modernize and expand its existing irrigation system to improve irrigation. 40 West End Road (Krimendahl) was heard on January 24, 2014 for a Freshwater Wetlands Permit and Area Variance to construct a new residence (parcel has pre-existing bulkhead). Manheim was heard on January 24, 2014 for repair of an existing revetment when exposed. The Clerk noted an application was received from Mr. Manheim in August of 2013 and requires the East Hampton Town Contractor’s License # and change of start date.

The application of Bonnie and Richard Reiss for dock repair at 88 Apaquogue Road was discussed. It was noted the repair was originally done without benefit of a Trustee permit, and Ordinance Enforcement was contacted. The Clerk added upon review of the application submitted, it was determined a list of the materials being utilized and the dimensions of the pilings requested from the applicants.

An application was received from East Hampton 2013 Trust (Liebman) for dune restoration, revetment repair and installation of sand fencing. The property is located at 197 Lily Pond Lane. The Clerk added the East Hampton Town Contractor’s License # and a notarized Verification Form are required.

A motion was made by Mrs. Klughers to amend the permit (HC #14-13) issued to Kenneth and Judith Reiss for repair of 55 linear feet of bulkhead as opposed to 180 linear feet of bulkhead. This motion was seconded by Mr. Miller and unanimously approved.

The meeting was adjourned at approximately 8:30 p.m. by the Clerk.

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