

MEETING OF MAY 12, 2015
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON, NY

Present: Diane McNally, Trustee Clerk
Stephanie Forsberg, Assistant Clerk
Brian Byrnes
Deborah Klughers
Nathaniel Miller
Bill Taylor

Not Present: Timothy Bock
Stephen Lester
Sean McCaffrey

Also Present: John Courtney, Trustee Attorney
Lori Miller-Carr, Trustee Secretary
Christopher Walsh, Reporter, EH Star
Ira Barocas
Carol Bennett
George Eldi
Vincent Priore
Rona Klopman

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

The Clerk reported she met representatives of LTV at the Trustees office to discuss filming the Trustee meetings. She added arrangements will be made to have a trial run in a few weeks.

A motion was made by Dr. Forsberg to approve payment of the following bills: a) North Fork Water Supply- \$49.44; b) A. Tohill- White Sands- \$367.50; c) East Hampton Marina- \$1,641.25; d) Stuart's Seafood- \$45.00. This motion was seconded by Ms. Klughers and unanimously approved.

A motion was made by Mr. Byrnes to approve the minutes of January 20, 2015; February 10, 2015 and March 10, 2015. This motion was seconded by Mr. Miller and unanimously approved.

The Clerk reported there has been no response to a letter sent to Steve Papa of U.S. Fish & Wildlife Service concerning the piping plover fence installed for the Wildlife Refuge in Amagansett. She noted she received a print-out from Natural Resources of the tax rolls which

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shows USFWS owns a parcel in the area, however, this is not sufficient proof of ownership of the parcel the fence is on. Mr. Courtney said there is no deed, as the government took it in a condemnation. The title company advised him it would be very expensive to obtain one. He added USFWS is most likely claiming to the MHW mark. The Clerk said she would like to meet with USFWS to insure public access is maintained along the beach. She added the Supervisor also asked her about the fence; and told her, if the Trustees oppose it, he would stand behind them. It was agreed a letter will be sent to the Supervisor asking for his support regarding this matter.

The Clerk reported she met with Mark Mendelman regarding the transient mooring policy. Mr. Mendelman submitted an application and fee for four (4) transient moorings in Three Mile Harbor for the summer season. The Clerk said Mr. Mendelman needs the mooring coordinates. Mr. Miller added he will contact the IT Department to get the coordinates.

Mr. Miller reported he and Mr. McCaffrey will work on installing the dingy dock at Gann Road.

The Clerk reported the South Flora Nature Preserve was discussed at the Town Board meeting last week. She noted the second copy of the draft management plan has been received. She was also informed there was a public hearing regarding Dolphin Drive last week. The Nature Preserve Committee is very concerned the parking they recommended along the east side of Dolphin Drive is not going to be considered. The Clerk went on to say she spoke with the Town Attorney who informed her the Town had a legal issue regarding the parking issue on Dolphin Drive. Prior to moving forward with the review of the Trustees and Nature Preserve's recommendations for parking, it needed to be resolved first. She added a public hearing will be held on the management plan for the South Flora Nature Preserve and the parking issue will be discussed at that time.

The Clerk reported a notice of public hearing was received concerning an amendment of Chapter 82-5 (Alcohol Restricted Beach Areas) to prohibit alcohol at Indian Wells Beach on Saturdays, Sundays and holidays until September 30, 2015. She asked Mr. Courtney to review the resolution to make sure it is consistent with what the Trustees agreed to last year. Mr. Courtney pointed out the hearing was held on May 7th and a resolution passed. The Clerk said the Trustees were not notified of this. She added she will contact the Town Attorney/Supervisor's office concerning this matter.

The Clerk has been in contact with Mr. Bouker, Village Deputy Superintendent of Highways, concerning garbage receptacles at Village beaches. She added Mr. Bouker will send her information on the number of receptacles, amount of times they are emptied during the day, and what beaches they are located on. She added this is in response to a complaint from Mr. Collum at the last Trustee meeting.

Mr. Byrnes expressed appreciation to the Highway Department for making a "no littering" sign. He said it was placed at the entrance of the dirt road access to Fresh Pond (the last access before the picnic area).

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A letter was received from David Seeler requesting permission to replace eight (8) bayberry bushes that didn't survive over the winter. The Board agreed to allow Mr. Seeler to replace the bushes. A letter will be sent to Mr. Seeler to this effect.

Information was received from Kim Shaw of the Natural Resources Department regarding a pond in the vicinity of Tanbark Creek and Soak Hides into Three Mile Harbor via Tanbark Creek (Soak Hides). Mr. Taylor said a complaint was received about a petroleum slick on the pond. He stated Mr. Lusty, who works with Dr. Gobler, tested the water in the pond and it appears to be organic matter, algae and leaves, not petroleum.

Mr. Byrnes reported that Peter Scully has resigned as regional director of the Department of Environmental Conservation.

The Clerk reported the notifications of start for the Meeker bulkhead repair project at 36 Louse Point Road and Slipper Shell Studio, LLC for dune restoration at 23 Waters Edge Road have been received.

The Clerk reported photographs of the Wilder completed beach grass plantings were received. The Clerk asked the Accabonac Harbor Committee to inspect the property.

Ms. Klughers presented a sample of an East Hampton shellfish permit sign. She will contact the Highway Superintendent and ask if his Department can make he can have the signs. It was agreed approximately 30 signs will be needed. She added she will report back to the Board regarding this matter.

The Clerk reported four Trustees have voted for the Rysam Fund Scholarship recipient to date. Mr. Taylor and Mr. Byrnes will review the applications at the end of the meeting and cast their votes.

In response to an email from John Monteleone of Hamptons Web Design, Ms. Klughers said she will contact him to request promotional emails not be sent, as the Trustees are satisfied with the present service.

Mr. Byrnes reported he noticed an ad in a real estate office window which indicated the beach was included in the sale of a certain property (as "private beach front"). It was agreed a letter will be sent to all local real estate offices advising them the Trustees manage the beaches on behalf of the public and their ads should not mislead buyers into thinking the beach is included in a sale.

Notification was received from Mary Croghan that 125' of the 175' sand fence located on Lots 7N & part of 6N at Lazy Point was removed, and the remaining 50' will be dug out and removed by the end of the week.

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The Clerk reported Barley Dunne, Director of Aquaculture has asked to store some of the Hatchery's equipment from Eel Pond on one of the vacant lots at Lazy Point. The Board agreed this would be fine.

Concerning an unnamed road off Napeague Harbor Road, Mr. Miller reported Ms. Klughers obtained a survey of the property. He said someone not only abandoned a boat in the area but left a pile of debris at the end of the road. He would like to obtain two estimates for the removal of the debris. Ms. Klughers suggested letters be sent to the adjacent property owners to advise them the Trustees will be removing the boat as well as any debris.

The Clerk noted, upon review of the Calicchio phragmite removal application, more information is needed including a survey, and a plan to indicate how and what will be removed. She pointed out the application indicated some type of herbicide will be used. She added she will contact the agent.

A Notice of a Village ZBA hearing the application of Frederic Seegal for phragmite removal was received. The Clerk noted the Seegal Trustee permit is still valid; however, a separate ZBA notice was received for an application to remove phragmites for which the Trustee permit had expired. She noted Mr. Horwith, who is representing many of the homeowners along Georgica Pond for phragmite removal, would like to know if there is a more efficient process for renewal of permits as the projects are on-going. The Clerk added she will meet with Mr. Horwith to discuss a possible modified permit renewal.

The Clerk reported a letter was received from Mr. Horwith concerning removal of phragmites in Georgica Cove. He asked if the property owners would be required to obtain permits from the Village and DEC if the phragmites are on Trustee owned property; and if so, who would be named as the applicant. It was agreed the homeowners would be required to obtain any permits required. The Clerk will advise Mr. Horwith of this matter.

Mr. Byrnes asked if the Trustees could place an ad in the local paper and on the Trustees website advising homeowners not to over-fertilize their lawns. Ms. Klughers suggested giving the public alternatives. The Clerk will work with Mr. Byrnes to create an ad for the paper and website.

Mr. Courtney reported the Town Board passed a resolution accepting a public utility easement from the Trustees to allow National Grid to install and maintain a gas main under Town Line Road.

The Clerk reported a request was received from the Building Inspector for additional information on the Feeney dock replacement. She noted the as-built survey and photographs had been received, but a letter was sent to the agent indicating the components of the structure didn't read correctly. The Board is waiting for a response. In the meantime, a memo was sent to the Building Inspector along with a copy of the letter sent to the agent.

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The Clerk reported five properties along Hedges Banks were issued violations. She noted all of the owners were sent a letter advising them what is still required by the Trustees in order to complete the permit conditions. She added letters have since been received from the agent for Strauss, Sawitsky and Reid acknowledging the permit conditions which must be completed and indicating they would be forwarded.

The Clerk reported Mr. Frank contacted the DEC regarding the Singer dune restoration project. She noted the DEC and Ordinance Enforcement were on site but as soon as the contractor showed them all the permits were in place, the DEC was satisfied. She added she doesn't think Ordinance Enforcement will pursue this any further.

In the Report of the Clerk, it was noted grant monies were received from Suffolk County for the purchase of the third pump-out boat. The Clerk reported payment in full has been received from East Hampton Point Marina for the Annual Dock Agreements. A letter was received from the American Legion inviting the Trustees to be their guests at the Memorial Day Parade on May 25th. The Clerk asked the Trustees to contact the American Legion if they cannot attend the parade. She said Mr. Graham of the Maidstone Club hand-delivered a letter indicating the Club would grant the Trustees access to Hook Pond in order for Dr. Gobler to do water quality samplings. Mr. McCaffrey, Ms. Klughers and the Clerk attended a Lazy Point Sub-Committee meeting last week. The Clerk noted the tenants would like to incorporate some of the verbiage of a 1935 Trustee resolution that indicates the Clerk would be authorized to execute on behalf of the Trustees, all leases to the lots at Lazy Point annually as long the tenancy is continuous. She said the sub-committee will continue to discuss this matter at future meetings. The next meeting is scheduled for June 16th.

The Clerk reported the pump-out boats are being prepared for the summer season. She is trying to get confirmation from the Parks Department and Harbormasters that the shore side facilities will be up and running, too.

The Clerk reported Mrs. Shaw has drafted another proposal for the Georgica Pond dredging permit and will forward it to the Trustees for review.

The meeting was adjourned at 7:30 p.m. by the Clerk.

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