

MEETING OF AUGUST 11, 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
Timothy Bock
Brian Byrnes
Deborah Klughers
Sean McCaffrey
Bill Taylor

Not Present: Nathaniel Miller
Stephen Lester

Also Present: John Courtney, Trustee Attorney
Lori Miller-Car, Trustee Secretary
Christopher Walsh, Star Reporter
Ira Barocas
Barbara Borsack
Eric Bregman
Scott Dobriner
George Eldi
Anne Hall
Rona Klopman
Robert Lawler
Vincent Priore

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

Eric Bregman and Scott Dobriner were present concerning the application of OGP, LLC for wetland restoration on 40 LaForest Lane. The Clerk noted this is technically a renewal of a Trustee permit and is exactly the same as last year. A motion was made by the Clerk to approve the application of OGP, LLC to excavate and remove phragmites from an approximately 260' x 70' shoreline area adjacent to Georgica Pond; de-water on site and remove to an approved upland disposal site; place approximately 1,200 cubic yards of clean sand/material to replace that excavated and re-vegetate; including a shoreline buffer comprised of native plant species, all as more specifically described in the submitted application. The following conditions shall apply: a) copies of applications and permits acquired from other agencies are to be submitted to the Trustees; b) written notification 48 hours prior to start; c) a valid as-built survey of the permitted activities will be submitted to this Board upon completion of the project; d) if the beach is to be

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used as access to the project site, the beach and bottomland will be left in the same condition as at the start; e) no equipment shall be left on the beach; f) access for the public shall not be impeded; g) only clean beach compatible sand shall be used; h) plantings shall be 12” on center, staggered rows; i) submission of color photographs at the start and upon completion of project. In addition, a report and additional photos of the project site and its success upon expiration of the permit and a signed and dated understanding of intent from the property owner, prior to the start of the project shall be submitted. This motion was seconded by Mr. McCaffrey and unanimously approved.

Anne Hall was present to inquire about blue-green algae which was discovered in Georgica Pond by Dr. Gobler. She asked if the Trustees have any plans to open the Pond. Dr. Forsberg stated today’s rain event might have worsened the blue-green algae outbreak and opening might help, but there are still Piping Plovers in area that haven’t fledged. She pointed out the Board has to decide if they want to close the Pond to shellfishing. A motion was made by the Clerk pursuant to Section 213-18 to prohibit the taking of crabs, other shellfish and marine species from Georgica Pond as testing by Dr. Christopher Gobler indicated an elevated level of “blue-green” algae. This motion was seconded by Ms. Klughers and unanimously approved. Notices will be sent to the Town Clerk and the East Hampton Star.

A motion was made by the Clerk to approve the application of Anne Hall for phragmite control with the following conditions: a) copies of applications and permits acquired from other agencies are to be submitted to the Trustees; b) notification in writing prior to each cutting and/or digging; c) a valid as-built survey of the permitted activities will be submitted to this Board upon completion of the project; approximately 2020, or before, if the permit is not renewed or a subsequent Board requests one; and d) submission of color photographs upon expiration of this permit and prior to each renewal. Additional conditions include: e) a written progress report with color photographs of the project site at the expiration of this permit and prior to renewal; f) an updated Verification Form signed, notarized and dated by the property owner prior to each renewal; g) the application fee established by the Board of Trustees for each renewal (i.e. \$100.00 for 2015) will be submitted; h) agent will provide written disposal process for the cut or excavated phragmites prior to start of 2015 project; i) an updated survey of the project site, generally required upon expiration of a permit, will be postponed until 2020 as long as the project continues to be renewed, unless a subsequent Board of Trustees requests one sooner; j) submission of a signed and dated Understanding of Intent from property owner before start of 2015 project and annually until project completion (approximately 4 years); and k) the project, as proposed, will not conflict in any way with any aspect of the Scenic Easement contained upon the subject property. This motion was seconded by Mr. McCaffrey and unanimously approved.

Barbara Borsack, Deputy Village Mayor and Village Trustee, R. Lawler were present concerning the garbage can issue on the Village beaches. Mrs. Borsack suggested that in the future, if the Trustees have a problem or concern, they call or email the Village Board to try and work things out together. She stated she felt the Village Board were blindsided by the letter from the Trustees with an immediate suggestion as to how the Village should handle cans on the beach

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before they were even aware there was a problem. She felt everyone is on the same page regarding keeping the beaches clean. She told the Trustees the Village Board feels their crews do a good job and haven't received any complaints from the public; although they realize there is a problem in the evenings when there are parties on the beaches and the cans overflow. She pointed out it is so close to end of season now that it will be hard to get an extra crew out at night. Mr. Lawler said their crews pick up the garbage three times a day and also rake the beaches three times a week. He stated there are no immediate plans to remove the garbage cans from the beaches. The reason they were put on in the first place was because there was a problem with the public trashing the beach and over the years it seems to have improved. Mrs. Borsack told the Trustees the Village Board holds a work session in October and the Trustees are welcome to attend to discuss this matter and possible alternatives. Mrs. Borsack and Mr. Lawler both agreed everyone wants clean beaches. Ms. Klughers said the Trustees sent a letter to Becky Molinaro, Village Administrator and tried to start a dialog, but all they got was a response in the local newspaper. She noted wherever there is a garbage can, there will be litter. There is a lot of debris early in the morning; and this Board has asked that cans be taken off the beach but they are still there. When asked how many cans there are, Mrs. Borsack replied there are over 30 cans. Ms. Klughers asked if the cans could be removed in the evenings. Mrs. Borsack replied the cans are very heavy weighing over 80 pounds each. Ms. Klughers said volunteers may be able to move the cans. After a lengthy discussion, it was agreed future letters sent to Ms. Molinaro will be copied to the Village Board members. Representatives of the Village and Trustee Boards will meet to discuss this issue before the next meeting.

A motion was made by Dr. Forsberg to pay the following bills: a) Optimum- \$144.80; b) Staples- \$1.07 & \$28.62= \$29.69; c) East Hampton Marina- \$459.99; d) North Fork Water Supply- \$79.91; f) Star Island Yacht Club- \$383.61; g) A. Tohill- Seaview- \$1,351.25 & White Sands- \$3,123.75 and h) Bonac Buy and Sell- \$1,500.00 (second half of payment). This motion was seconded by Mr. McCaffrey and unanimously approved.

The Clerk presented the Board with information concerning the Trustees proposed budget. Upon review, she pointed out some of the equipment needed for the office is a new file cabinet, a more secure lock for the door to the Trustees office and a new outside shed for the pump-out boat equipment and Trustee supplies. Another matter the Clerk said she would like to resolve is the discrepancy in the budget as it indicated the Trustees receive a stipend as opposed to a salary. She pointed out memos were sent to the Budget Officer requesting the Trustees receive the 2% salary increase that is given to all town employees; but no response has been received. She added she will discuss this matter at the budget meeting which will be held with the Supervisor tomorrow morning at 11:15.

The Clerk reported a draft report was received from Town auditors, as well as a bill in the amount of \$8,000. She said she is going to ask for a detailed bill. She added she will email her comments on the Audit Reports to the Trustees for review.

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Concerning the Piping Plover Management update, the Clerk reported the last plover fledged by Georgica Pond and the fence should be down. She added data was also received from US Fish and Wildlife indicating several plovers have fledged from the site they manage.

The Trustees agreed to hold the 25th Annual Largest Clam Contest at the Amagansett American Legion on Sunday, October 4th. The Clerk pointed out it is a larger space and has a kitchen. She added she will speak with the commander concerning set-up, etc...

Mr. Byrnes reported the Village is looking for financial partners to help clean up Town Pond. He suggested contributing \$10,000 toward the proposed project. It was agreed that more details should be obtained from the Village before a decision is reached.

The Clerk reported photos were received for the Newhampton Hach sand placement project. The Clerk asked the Accabonac Harbor Committee to determine if all conditions of the Trustee permit have been met.

It was agreed the application of H. Fred Krimendahl for phragmite control will be tabled for further review.

A motion was made by Ms. Klughers to approve the application of Janine Yass for phragmite control at 18 Association Road with the standard as well as the following additional conditions: a) a written progress report with color photographs of the project site at the expiration of this permit and prior to renewal; b) an updated Verification Form signed, notarized and dated by the property owner prior to each renewal; c) the application fee established by the Board of Trustees for each renewal (i.e. \$100.00 for 2015) will be submitted; d) agent will provide written disposal process for the cut or excavated phragmites prior to start of 2015 project; e) an updated survey of the project site, generally required upon expiration of a permit, will be postponed until 2020 as long as the permit continues to be renewed, unless a subsequent Board of Trustees requests one sooner; f) submission of a signed and dated Understanding of Intent from property owner before start of 2015 project and annually until project completion (approximately 4 years) and g) the project, as proposed, will not conflict in any way with any aspect of the Scenic Easement contained upon the subject property. This motion was seconded by Mr. McCaffrey and unanimously approved.

A motion as made by Mr. McCaffrey to approve the application of Michael Chae- Mast One, LLC for phragmite control at 31 Association Road with the standard as well as additional conditions (as described in the above paragraph for the Yass permit). This motion was seconded by Ms. Klughers and unanimously approved.

A motion was made by Ms. Klughers to approve the application of Apaquogue Holdings, LLC for phragmite control with the standard and additional conditions (as read for the Yass permit). This motion was seconded by Mr. Taylor and unanimously approved.

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A motion was made by Mr. McCaffrey to approve the application of Sam Quelle Farm with the standard and additional conditions (as read for the Yass permit). This motion was seconded by Ms. Klughers and unanimously approved.

The Clerk reported she requested a survey from the agent for the Calicchio revegetation project but hasn't received it to date.

Notification was received concerning completion of the Rifkind coir log installation project. The Georgica Pond Committee will inspect the site.

Notification of the start of US Information Systems (Lagana) dock repair project has been received. The Clerk asked the Hog Creek Committee to inspect the site.

The Clerk reported a Hook Pond Remediation meeting is scheduled for tomorrow at 10:00 a.m. at Village Hall.

Concerning the application of Marilyn Badkin for a seasonal shoreline fence adjacent to Lot 19N. The Clerk asked the Lazy Point Committee to look at the site to determine exactly where fence will be placed.

The Clerk reported as-built surveys have been received for the Feeney and PND Hamptons, LLC dock repair projects. She will notify the applicant that the pilings should be no more than 6" diameter next year.

Three Mile Harbor Committee will continue review of the application of East Hampton Marina for piling replacement

The Clerk reported an email was received from the Fire Marshall indicating the East Hampton Lifeguards have requested a bonfire during an ocean rescue event this coming weekend. The Board agreed as long as Fire Marshall and Town Attorney have no concerns.

The Clerk reported a complaint was received from a kayak owner who indicated someone stole her kayak last year and it is now on the rack at Louse Point. She referred the owner to the Harbormaster's office.

Mr. Byrnes asked what the plans are for the scallop shell pile at Lazy Point. Ms. Klughers said she is working on plans to clean the shells and return them to the water.

Mr. Byrnes reported Councilman VanScoyoc is working on the Lazy Point ramp issue. The Clerk said there is some information in the Trustee files that could be helpful to Councilman VanScoyoc if he is interested.

The meeting was adjourned at approximately 7:30 pm. by the Clerk.

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