

**MEETING OF JANUARY 13, 2015**  
**OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY**  
**OF THE TOWN OF EAST HAMPTON**

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

Not Present: Stephen Lester

Also Present: John Courtney, Trustee Attorney  
Lori Miller-Carr, Trustee Secretary  
Christopher Walsh, Star Reporter  
Ira Barocas  
George Eldi  
Brian Frank  
Susan Knobel  
Mark Mendelman  
Peter Mendelman

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

Mr. Courtney opened the floor to nominations for Clerk of the Trustees for the year 2015. A motion was made by Dr. Forsberg to nominate Ms. McNally for Clerk of the Trustees for 2015. This motion was seconded by Mrs. Klughers and unanimously approved. As there were no other nominations, the Trustees unanimously approved to close nominations for Clerk of the Trustees. Mr. Byrnes stated he appreciates all the work Ms. McNally did in 2014. He said he felt a lot got accomplished and it wouldn't have gotten done without her direction and leadership.

Mr. Courtney opened the floor to nominations for Assistant Clerk of the Trustees for the year 2015. A motion was made by the Clerk to nominate Dr. Forsberg for Assistant Clerk of the Trustees for 2015. This motion was seconded by Mr. Bock and unanimously approved. As there were no other nominations, the Trustees unanimously approved to close nominations for Assistant Clerk of the Trustees.

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The following 2015 Annual Resolutions were offered and approved with the following amendments: #1- **Employ Secretary**; #2- **Employ Attorney**; #3- **Designated Banks**; #4- **Petty Cash**; #5- **Bonding**; #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**; #14- **Travel/Mileage**; #15- **Salary Schedule**- Clerk abstained; #16- **Fee Schedule**- Moorings: Non-Residents- \$25.00 per boat length foot; Docks/Walkways: add Staircases- \$3.00 per square foot; Duck Blinds- \$30.00 per blind; Other Structures- remove “& Staircases”; Kayaks- \$200.00 each; Shellfish Bags- \$1.00 each; Shellfish Tags- 1<sup>st</sup> 50 free; 2<sup>nd</sup> 100- \$10.00; #17- **Office Operations**; #18- **Office Access to Trustee Documents**; #19- **Rysam Fund**; #20- **Harbor Management Committee**; #21- **Spawning Sanctuary No-Take Zones**; #22- **Part-time Office Help**- increase to \$15.00 an hour. **Tabled for further discussion**: #16- **Fee Schedule- Lazy Point Leases**; and #13- **Execute on-going leases at Lazy Point**- tabled for further discussion.

A motion was made by the Clerk to call a Special Meeting of the Board of Trustees for Tuesday, January 20, 2015 at 6:00 p.m. in the Trustees office. This motion was seconded by Mr. Lester and unanimously approved.

Brian Frank, Environmental Analyst of the Planning Department was present concerning the proposed relocation of the Knobel house located on Lots 53N & 54N to Lots 45N & 46N at Lazy Point. Mr. Frank pointed out Lazy Point has been an area regulated by the Natural Resources Special Permit regulations since their development in 1984. He said no matter where the Knobel house is relocated in Lazy Point, it will need a NRSP and ZBA variances. He went on to say he is familiar with the Knobel lot and the environmental conditions and changes over time. Mr. Frank pointed out the house is in close proximity to the Napeague Harbor inlet and in a dynamic location due to the flow of water; and the volume and the rate of that has changed over time as the inlet has changed over time. Concerning the sanitary system, Mr. Frank distributed copies of surveys from 2001 and 2013; and also the proposed relocation to Lots 45N & 46N. He noted there is scouring on the west side of Lots 53N & 54N with stones and sand bags presently in place. He pointed out there is a single cesspool which was built prior to contemporary Health Department regulations; and isn't sure how deep it is in the groundwater table but is located fairly close to the wetlands. Mr. Frank said members of the Planning Department have also been to inspect Lots 45N & 46N and did a delineation of the dune crest and the wetlands. He went on to say there are wetlands to both the north and south of these lots. Mr. Frank stated if Mrs. Knobel applied for a NRSP for relocation to Lots 45N & 46N, the Planning Department would not object. He explained it's not an ideal lot for new construction but the relocation creates the opportunity to restore the shoreline on Lots 53N & 54N and remove the foreign material from the beach; restoring the upland. Dr. Forsberg expressed concern regarding installation of a new septic system on Lots 45N & 46N as it has been vacant for many years. Mr. Frank pointed out Lots 45N and 46N are still sensitive areas and is a poor candidate for placement of a new structure; but considering where things are now and the dynamics of where the property is, it has a lot to do with the Planning Department's decision in this case. Mr. Frank presented a map done by Bob Mason of Lazy Point which includes the Trustee lots (numbered), topography, flood zones, etc... He said he felt this might help with the Trustees decision. He added these areas are going to change and there are difficult management decisions ahead for this area as well as other sensitive areas in the town. Mrs. Klughers asked Mr. Frank if the Planning Department would recommend FEMA elevations be in place if the house were relocated. Mr. Frank replied he felt this would be the case; and the house would have to be

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elevated 8' to 10' above sea level as per FEMA Regulations. Mrs. Knobel stated the house wouldn't be any more off the ground than it presently is. Mr. Frank agreed. Mr. Taylor asked Mr. Frank if there are lots besides Lots 45N & 46N which would be suitable for relocation of the Knobel house. Mr. Frank said there probably are and he would assess them if he was directed by the Trustees to do so. The Trustees expressed appreciation to Mr. Frank for all his help. The Clerk told the Board to contact Mr. Frank if they have any further questions. It was agreed the Trustees will continue to consider relocation of Mrs. Knobel's house.

Mr. Mark Mendelman was present regarding the application of Three Mile Harbor Marina for dock and piling repair. The Clerk said she reviewed the application and asked if the pilings are part of a grant application and would Mr. Mendelman need approval in order to submit that application. Mr. Mendelman explained the plan would be to repair just 20 pilings this year. He noted a total of 82 pilings need to be replaced in a three year period. Mrs. Klughers suggested approving the entire application for this year- and the applicant come back for renewal of the permit for whatever doesn't get done in 2015. It was agreed the Three Mile Harbor Committee will review the application and inspect the site of the proposed project.

Mr. M. Mendelman thanked the Board for removing the scallop shell recycling pile on Boat Yard Road. He told the Board there is a derelict sailboat on the south end of Three Mile Harbor and been there a long time. He noted there is also an old dock and some abandoned moorings in the area. Mr. McCaffrey and Mr. Miller agreed they will inspect the area; and notify the Harbormasters.

Mr. Peter Mendelman told the Board he submitted an application for emergency piling replacement, bulkhead repairs and dredging of Halsey's Marina. The Three Mile Harbor Committee will review the application and inspect the site of the proposed project.

A motion was made Dr. Forsberg to approve payment of the following bills: a) Optimum- \$144.80; b) Staples- \$39.90. \$102.66 & \$108.61 for a total of \$251.17 and Suffolk County Clerk- \$60.00 (renewal of notary). This motion was seconded by Mr. Bock and unanimously approved. A bill in the amount of \$1,006.67 received from David Eagan & Associates was discussed and it was agreed the Clerk will contact Mr. Eagan to request the bills be separated according to client.

The Board agreed to renew a Certificate of Deposit ending in #...7248 at Suffolk County National Bank for six months.

The Clerk reported she spoke with a contractor regarding a house being built off of Towhee trail. He advised a Building Permit was obtained, but the project was shut down when engineer realized it is a Trustee road. The Clerk said the contractor was given an access easement form. She will send a memo to Ann Glennon at the Building Department indicating the Trustees are waiting on submission of an access easement recorded as no other access is available to the lot; but have no objection to the work continuing; and request a Certificate of Occupancy not be issued until the access easement is received.

The Clerk reported a ZBA Notice of Public Hearing was received for 3 Association Road. She noted a Notice of Village ZBA Hearings was received on the following: 57 West End Road; 61 North Briar Patch Road; 14 Gracie Lane and Fithian Lane. The Clerk added the Trustees are being notified as adjacent property owners. Mrs. Klughers suggested requesting the hearings be held open for an

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additional two weeks in the event the Trustees have any concerns. Mr. Courtney advised the Board to look into 57 West End Road as there is an issue with the beach grass line.

Concerning the Hook Pond Remediation Plan, the Clerk reported she has received correspondence from Becky Molinaro, Village Administrator who asked if the Board if they had any comments to submit and if they support the Plan approved by the Hook Pond Committee. It was agreed the Clerk will ask Ms. Molinaro to keep the Trustees updated, yet advise her the Board has concern regarding the Hook Pond pipe and public access.

In a discussion regarding additional phragmite removal in Georgica Pond, the Clerk noted Mr. Horwith asked if the Trustees would consider signing an agreement instead of requiring individual applications. The Board agreed a separate application must be submitted by each individual. The Clerk will contact Mr. Horwith in response to this matter.

Dr. Forsberg advised the Trustees there are no updates available in regard to water testing in Georgica Pond by Dr. Gobler. Mr. Miller asked if the Board would consider opening the Pond for flushing purposes. The Board agreed. The Georgica Pond Committee will make arrangements with the contractor to open the Pond. Dr. Forsberg added she will talk with Dr. Gobler prior to the opening.

A motion was made by Mr. Byrnes to approve the application of Robin Weingast for emergency placement of sand bags (in event of storm) with the standard conditions except 3 & 8. This motion was seconded by Mr. Taylor and unanimously approved.

The application of Robin Weingast for sand replenishment was tabled. The Clerk is to contact the agent concerning an alternative access to the project site as the road end was recently repaired.

The Clerk reported she attended the last Nature Preserve meeting. She noted the South Flora Nature Preserve was discussed (parking on Dolphin Lane, beach use, lifeguards, etc...) and a draft management plan was discussed.

The Clerk reported she requested minutes of a meeting with Congressman Zeldin held on December 29, 2014 regarding Long Island commercial fishing interests but was advised the meeting was not recorded. Mrs. Klughers pointed out the meeting was televised and suggested requesting a DVD of the meeting.

An employment application was received from Mitchell Lester to work as a pump-out operator if a position becomes available.

The Clerk reported a gas main is being installed along Town Line Road (from Debra's Way to Industrial Road). She noted the utility company is looking for access from the Trustees. Mr. Courtney advised the Board not give a utility company an access easement. He noted access can be given to the adjacent homeowners instead. He added the Town owns property on Industrial Road and can apply for an access easement.

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The Clerk reported she attended the Town Board's organizational meeting and advised the Board their resolutions are available on the Town's website for all those who are interested.

The Clerk reported Lynda Edwards requested the Trustees send a letter to local legislators requesting that Community Preservation Fund regulations be changed to include waterway improvements. The Board declined the request as not enough is known about the CPF policies at this time.

In a discussion regarding the possible selling of sand taken from Georgica Pond, the Clerk noted she has been reviewing the application which Kim Shaw, Director of Natural Resources, has been working on. She noted the Town has contributed \$18,000 toward hiring a consultant but if the DEC requires more information, it will cost more. She added she is concerned the application as written, does not reflect Trustee policy.

The meeting was adjourned at approximately 8:00 p.m. by the Clerk.