

MEETING OF JANUARY 25, 2016
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON, NY

Present: Francis Bock, Trustee Clerk
Pat Mansir, Deputy Clerk
Bill Taylor, Deputy Clerk
Tyler Armstrong
Timothy Bock
Brian Byrnes
Rick Drew
James Grimes
Diane McNally

Also Present: Richard Whalen, Trustee Attorney
Lori Miller-Carr, Trustee Secretary
Christopher Walsh, Star Reporter
Britton Bistran
Eric Brown
Mary Croghan
Chris DiSunno
George Eldi, Jr.
Bruce Horwith
Kevin McAlister
John Parker

The meeting was opened at approximately 6:30 p.m. by the Clerk with the Pledge of Allegiance.

Supervisor Cantwell presented John Courtney, former Trustee Attorney, with a proclamation. He stated he has known Mr. Courtney for 41 years and worked with him in both the Town and Village of East Hampton. He pointed out they might have disagreed with one another at times, but they always stood shoulder to shoulder fighting for the rights of the people and the Town Trustees. He noted Mr. Courtney was always willing to find a solution and common ground without undermining the rights of his clients (the Town Trustees). Supervisor Cantwell added he admires Mr. Courtney a great deal and presented (and read) the proclamation to him. Mr. Courtney expressed his appreciation to Supervisor Cantwell as well as the Trustees. He pointed out it is the 330th anniversary of the Dongan Patent, and it is his hope the Trustees will continue to stay strong in the face of government and private opposition as they are present to protect the public's rights.

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The Clerk acknowledged the passing two people who were very important to the Board of Trustees; one being, Russell Drumm, who was the Star Reporter to the Board of Trustees for over 30 years and also Stuart Vorpahl, a former Trustee, who was an advocate for the rights of commercial baymen and Trustees. He added they will both be sorely missed.

A motion was made by Mr. Byrnes to approve payment of the following bills: a) North Fork Water Supply Corp. - \$40.94; b) David Eagan & Associates, PLLC- \$388.59-Zweig; c) Cook Maran Associates, Inc.- \$2,625.00 (bonds for the Clerk & Deputy Clerks). This motion was seconded by Mr. T. Bock and unanimously approved.

A motion was made by Ms. McNally to approve the minutes of December 8, 2015 with amendments. This motion was seconded by Ms. Mansir and unanimously approved.

A motion was made by Ms. McNally to approve the minutes of January 5, 2016 with amendments. This motion was seconded by Ms. Mansir and unanimously approved.

A motion was made by Mr. Grimes to approve renewal of a Certificate of Deposit on January 30, 2016 at Suffolk County National Bank. This motion was seconded by Mr. Taylor and unanimously approved.

The Clerk reported Financial Statements and Supplementary Information as well as a Memorandum on Accounting Procedures and Internal Controls as of December 31, 2014 were received from Nawrocki Smith, CPAs. Ms. McNally pointed out she reviewed a portion of these documents and also reviewed the original submission given to the Trustees last year. She noted she doesn't see any changes which reflect comments she passed along to them (mostly terminology), but they don't seem to understand the Trustees have separate funding from the Town's budget. She said the Trustees submitted a payment in the amount of \$8,000 to Nawrocki Smith for 2015 and there is money in the Trustees (Outside Professional) budget line to have another financial review in 2016. The Clerk pointed out the Town is reimbursing \$4,000 to the Trustees for 2015. Mr. Byrnes asked if anyone from the Town (with an accountant's background) has checked the audit. Ms. McNally replied the Trustees accountant, Caroline Schaefer from Herzog & Little, has reviewed it.

The Clerk reported a request was received from Land Planning Services for renewal of the phragmite removal permit (GP #1-15) issued to Auguste Bannard at 106 Briar Patch Road. The permit expires on February 10, 2016. Ms. McNally suggested the file be reviewed to determine if the notification of completion of the project was submitted. She said if the project has been completed, the Georgica Pond Committee should inspect it. It was agreed the Georgica Pond Committee will review the file, contact the agent with any questions and inspect the site.

Mr. Byrnes pointed out one of the culprits of an unhealthy pond would be over-fertilizing. He said he would like to get that message out to the Georgica Association and remind them how important it is to have their septic systems maintained. The Clerk added the Friends of

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Georgica Pond will make a presentation at the meeting of February 8th, and Mr. Byrnes can suggest this to them at that time.

The Clerk reported notification was received advising the Trustees of the proposed transfer of the Schaeffer house located on Lot 34N at Lazy Point to Julie Wolfe and Edward Petrie; and also the transfer of the Raffo house located on Lots 13N and p/o of 14N to John and Josephine Eastman. Ms. Mansir noted she reviewed both contracts and everything seems to be in order. Mr. Whalen said he looked at the documentation from the buyers of the Schaeffer house and pointed out the contract does not specifically state it is for a leaseholder; although there is a rider indicating it is subject to the Trustees approving the lease. He stated he would prefer the contract mention Ms. Schaeffer is not conveying title to the land, but the house and leasehold. Mr. Whalen pointed out the Raffo contract is fine. Ms. McNally pointed out once the Trustees have reviewed all the documentation and found it to be in order; the potential buyer is required to publish a notice in the East Hampton Star. She said this is an opportunity for anyone in the community to contest the buyers residency, if need be. Mr. Whalen noted he will contact the attorneys for the buyers and sellers concerning the status of the sale; and advise of the procedure for placement of a notice in the Star; and the change in the contract for the Schaeffer transfer.

The Clerk reported a letter was received from Britton Bistran on behalf of East Hampton Marina requesting the Trustees final approval of a permit issued in 2004 for replacement of 12 pilings. Ms. McNally pointed out East Hampton Marina was notified in December 2015 that they are required to provide an as-built survey to the Trustees. Ms. Bistran pointed out the piling replacement was completed according to the Trustee permit issued and has been inspected by other agencies (i.e. the DEC, Town, etc...), but never finalized. She said Mr. Briggs (the owner) would be willing to meet the Trustees on site. She noted the 2004 survey reflects what presently exists at the marina. She stated to provide a new survey would be arduous and costly. Ms. McNally pointed out a new survey would be beneficial going forward for the applicant should they chose to do work in the future. She noted the 2004 survey was done prior to the piling replacement and if no Trustee had inspected it, then they have nothing to go by. She stated the Trustee Board must rely on written documentation in their files and submission of an as-built survey was a requirement of the permit issued. Ms. Bistran said she has been trying to get a copy of the Trustee permit to review it but hasn't been able to find it. Ms. McNally replied the permit is in the Trustee files and Ms. Bistran can obtain a copy. Ms. Bistran stated she felt this is a unique situation as there are five other open permits issued by the Town that don't require a survey and she asked the Trustees to reconsider. Ms. McNally replied the requirement of an as-built survey is based on a 1984 inventory of structures as a number of docks, bulkheads, etc... were built without a Trustee permit. She explained the Trustees have an Annual Agreement with the owner for a specific footage of structures on Trustee bottomland, and the as-built is to insure that is how it remains. Mr. Byrnes said he is in complete agreement with Ms. McNally in terms of the Trustees insuring all work on their bottomland is done in accordance with the permits issued. The Clerk asked the Three Mile Harbor Committee to inspect the site.

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Concerning Bull Run/90 Northwest Road, the Clerk pointed out this has been an ongoing issue for several years. An email was received from Anthony Liberatore indicating the road was re-graded and widened. He noted the regrading goes down the east driveway to Safe Harbor/the Dunes Rehabilitation Center. Ms. McNally confirmed the road has been widened again. Mr. Drew pointed out the owners have been using it as a private driveway for parking their vehicles and it looks as though they might be installing equipment for a gate. Ms. McNally explained their Access Easement still indicates it for the portion of the Trustee road known as Old Northwest/Sag Harbor Turnpike to Bull Run (a Town road). She said the other portion of the road is a Trustee road (a public road) and it was already cleared and is being used. She went on to say the Trustees required the owner to revegetate (with all native vegetation), remove the irrigation system and the Belgian block apron to make it look like a more natural road. Ms. McNally pointed out they have two accesses to the property- a front and back driveway. She noted the last time she inspected the area, the owners did everything the Trustees had asked them to do. The Clerk asked if the previous Board was in agreement with the owners using the Trustee road as their primary driveway. Ms. McNally replied the Board did not change their Access Easement to include that portion of the road to Northwest Road, so the road would remain open as a Trustee road and not appear to be a private road. She pointed out if they are utilizing it excessively for parking and it is damaging the vegetation there might be something the Trustees can do. She said she believes there is an agreement between the property owners and Trustees in the file; and suggested it be reviewed in order to determine if the Dunes has again improved outside the bounds of the agreement. She added the Town Attorney and Ordinance Enforcement also have a lot of information on this. The Clerk asked the Roads Committee to inspect the area. Mr. Byrnes said it would be helpful to have a list of Trustee roads/properties. Ms. McNally replied former Trustee, Lynn Mendelman, drafted a map of all Trustees known holdings which was placed on the Trustee website; she noted Mr. Whalen also created an inventory in the 1980's. A copy of Mr. Whalen's inventory will be given to the Board. Mr. Whalen will review a copy of the Access Easement that was given to the property owners in question.

The Board discussed a Bill which was reintroduced to the State Assembly by Assemblyman Fred Thiele to prohibit the use of methoprene. Ms. McNally pointed out Mr. Thiele has been trying to get this Bill passed for several years. Kevin McAllister stated this is a revised Bill which is in need of a Senate sponsor. He explained on Thursday, January 28th, Senator Kenneth LaValle will hold an annual environmental round table meeting at which time he will ask the Senator if he will sponsor the Bill. He pointed out in 2013, Connecticut moved to ban methoprene in certain areas; and Rhode Island (with the exception of Providence) also has similar restrictions. Mr. McAllister stated persistence from everyone is very important. He went on to say that on December 1, 2015, the Suffolk County Legislature approved the 2016 annual work plan that methoprene is a component of. He said the applications of larvicides are done in April or May; so there is an opportunity to move the County Legislature to openly make an amendment to the work plan for removal of methoprene use (utilizing BTI as an alternative). Mr. McAllister noted on the State level, through support of Assemblyman Thiele's Bill, he would recommend communication to the Governor's office. He thanked Ms. McNally for her letter to the Suffolk County Legislature in December and recommended a Trustee deliver a

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statement at the round table meeting. Mr. Grimes said his concern is the only ones spraying for mosquitoes is Suffolk County Department of Health (SCHD). He pointed out he hopes there is some way to put pressure on them to adopt a more proactive policy. Mr. McAllister said he felt the Board should explore exercising their authority over the wetlands; that it comes down to a land issue, and not allowing SCDH to spray. Mr. Armstrong pointed out there is a “no spray” registry on Vector Control’s website and if the registry is signed, they will avoid spraying on that property. He asked Mr. McAllister if the Trustees as landholders can join the “no spray” registry. Mr. McAllister replied they could but it has to be done annually. Mr. Byrnes said the head of Vector Control told him they apply a minute amount of methoprene. He asked if there is any proof this minute amount being sprayed is in fact harming the environment. Mr. McAllister pointed out if you look at the data, there is a risk in any of the concentrations of methoprene. He added he is very pleased the Trustees have decided to take up this issue. Ms. McNally said she felt the Trustees should send a letter in support of the Bill and a copy to the Governor and other levels of government. She noted the former Board of Trustees discussed the possibility of a town mosquito control program which might give support to other levels of government to continue pursuit of the non-use of methoprene. Mr. Armstrong will attend the round table meeting in Riverhead on Thursday, January 28th at 5:00 p.m. at the Culinary Institute.

A ZBA Notice of Public Hearing was received concerning the application of Lucy Sachs for construction of a swimming pool, deck and clearing of beach vegetation on 277 Cranberry Hole Road at Napeague. Ms. Mansir pointed out the hearing is scheduled for tomorrow, January 26th. Mr. Grimes said he felt the Trustees should be more proactive in dealing with this and require the applicant to use an alternative treatment plan for the pool in order to mitigate the issues. He added he will inspect the site. Ms. McNally recommended a memo be sent to the ZBA requesting more opportunity to review the application and ensure mitigating factors are put in place for the pool on the property adjacent to the Trustees waterway. She said hopefully the ZBA will table this application or leave the hearing open. She stated she has advised the ZBA time and time again to forward the notices to the Trustees more than just a minimum of ten days prior to the public hearing. Mr. Whalen said he felt there should be more coordination between the Trustees and ZBA making it possible for the Trustees to receive notice at least thirty (30) days prior to a hearing. The Clerk added he will contact the ZBA concerning this matter.

John Parker, asked the Board if they have further questions in response to his presentation at the last Trustee meeting concerning the proposal to amend legislation concerning Sag Harbor’s jurisdictional boundaries. He explained he appeared before the Sag Harbor Village Board and Harbor Advisory Committee earlier this evening to discuss this matter. Mr. Taylor asked if Mr. Parker reached out to the Town Board, as part of the area in question is located in the Town of East Hampton’s jurisdiction as far as anchoring, etc.... Mr. Parker replied Mayor Schroder sent a letter to the Town Board and in turn, Supervisor Cantwell indicated this matter should be worked out with the Trustees. Mr. Grimes asked if this is Trustee bottomland or not. He asked Mr. Parker if the Village of Sag Harbor could possibly give the Trustees an affidavit or document indicating they are not laying claim to the Trustees land. Mr. Parker reminded Mr. Grimes of the suggestion he proposed to the agreement at the last meeting, which did just that.

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Mr. Whalen stated the question is, do the Trustees own the open waters to Northwest Harbor and Sag Harbor Bay? He pointed out the Dongan Patent indicates the lands of the Town Trustees are bounded north by the bay and it is not clear where the jurisdictional boundary is in Northwest Harbor. He noted however, in the past, the Trustees did acts which indicated they claimed ownership of the bottomlands in Northwest Harbor and Sag Harbor. He stated he didn't feel they need to resolve the ownership issue now as it is something that may never be resolved without litigation. Mr. Whalen pointed out the Trustees can make sure there is language in the legislation that protects their claim of ownership; but the Board has to determine if they want this matter to go forward and also, if they have any concerns about who has navigational and regulatory controls in Sag Harbor. Ms. Mansir expressed concern, if in the future there is litigation regarding jurisdiction and someone besides the Trustees collect fees on the moorings, would it further foster the Trustees claim to ownership. Mr. Whalen explained, whether or not the Trustees have been collecting mooring or dock fees could be used as evidence the Trustees don't assert ownership; however, the legislation could be made neutral. In summary, it was agreed a meeting will be scheduled with the Village of Sag Harbor (Harbormasters, Village Board, and others) to discuss this matter further. Mr. Parker will provide the Trustees with a map of the present boundary lines and the proposed expansion area.

The Clerk reported notification was received from the ZBA concerning the application of 349 Promised Land Road, LLC. He noted this is for construction of a beach walkway, driveway, additions, relocations, and clearing of dune vegetation within the dune crest and tidal lands. Mr. Grimes said he will attend the hearing to obtain further information. Concerning the ZBA hearing on the Lowey Driftwood Renovation Site Plan approval, Ms. McNally said this is adjacent to the ocean beaches, but it is only for interior renovations.

Chris DiSunno, who lives on Bayview Avenue was present regarding the condition of Midland Highway. Ms. Mansir pointed out Bayview Avenue is an urban renewal road. Mr. DiSunno stated his concern is Midland Highway, which is a Trustee road. He explained he constructed his house a few years ago and part of the urban renewal process requires payment of thousands of dollars for road improvements in order to get a building permit. He went on to say that money goes into making the roads compliant with Town regulations so they can be absorbed into the Town system. None of the urban renewal roads can be brought into the town's road systems until every lot adjacent to them has been developed. Mr. DiSunno pointed out every lot on Bayview has been developed and when he went to the Highway Superintendent to request the road be brought into the system, he was told that because the road is non-contiguous (i.e. Midland intersected) with other roads in the town, it would not be possible. Further, the Town Engineer would have to inspect the Trustee road to see whether it conforms to the Highway specifications. Ms. Mansir noted the Trustees would then have to decide whether they would deed Midland to the Town. Mr. Whalen pointed out the urban renewal system is supposed to lead to a condition in which the road could be dedicated to the highway system; but very few roads have gotten to that point. He said the Town has begun to develop road improvement districts where the homeowners have to vote to sign up for it; thereby providing funds to bring

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the road up to Town specifications. He went on to say the Town urban renewal plan (with road widening easements) will put the road in the condition where it will allow it to be brought up to the condition where it will be adopted in the highway system. Mr. Whalen said Bayview Avenue could be brought into the highway system if it meets certain specifications; except for the fact it is not connected to Old Northwest Road. He stated the question is, will the Trustees agree to dedicate Midland Highway, or a portion, to the Town? Ms. McNally stated only once have the Trustees given up a portion of a road, and that was Six Pole Highway, due to the quantity of homes built adjacent to it. She pointed out it is not something that is easily done nor should it be done lightly; although she does realize a number of residents are affected because the Trustee roads were not recognized in the planning process. Mr. Armstrong asked if there was a way to amend the Town Code to alieve the problem. Ms. McNally pointed out one of the problems is the Town Engineer looks at Trustee roads as private roads, but they are actually public roads. Mr. Grimes questioned, what good is served by holding title to Midland Highway? He stated he felt it could be more of a liability than an asset at this point. Ms. McNally used the example of Atlantic Drive, which at one time ran along the ocean beach; and eventually portions of it were sold, which is now the reason the Trustees are in litigation over the ownership of Napeague beach. She pointed out Trustee roads could have a significant value in the future, so if and when, the Board considers giving up ownership, it needs to be done very carefully. She said if there is a trade-off that might benefit the public in the future, it is something that might be considered. Ms. Mansir pointed out the Trustees were given these roads in the 1600's and there weren't fire trucks or ambulances at that time. She said she feels it is the Trustees responsibility to maintain their roads; not to give them away, but to modernize them. Ms. McNally stated this is very similar to the issue with algae in Georgica Pond, which is caused by factors beyond the Trustees control and jurisdiction; but if the Trustees open the cut to the ocean, it will take care of the algae. She noted it's the same situation with the roads, but giving up the road to the Town is not that easy. She pointed out, once again, the Trustees are being asked to make the compromise and find a solution. In further discussion, it was agreed the Roads Committee will review the Trustee file on Midland Highway and contact the Highway Superintendent to obtain more information on the history of the road.

Bruce Horwith told the Board he is the agent for several phragmite removal projects being done by private homeowners along Georgica Pond who have obtained permission for phragmite removal. He explained he is looking for an endorsement from the Trustees to continue the projects; and specifically, to support the effort to cut the phragmites and excavate the bottleneck in the northern portion of Georgica Cove. He distributed a report of the progress of the projects, and noted various efforts have been made since 2012 to cut the phragmites and excavate. Mr. Horwith pointed out a landscaper cut the phragmites in the bottleneck area in the fall of 2015; but they are still in the process of obtaining the permits for excavation. He explained this is one of three bottlenecks in Georgica Pond; two in Georgica Cove and the shoal located near where the Pond is opened to the ocean. He said the DEC issued a permit to the Village in 2012 (which was modified in 2013) and the Trustees also issued a permit. After the removal of approximately 1000 cubic yards of phragmites and sediments in the northern portion of Georgica Cove, the excavated material was tested by the DEC and found to contain levels of contaminants which required they be disposed of at Brookhaven Landfill. Mr. Grimes pointed

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out the contaminants are not a product of something recent; but the whole area was farmland at one time. He stated in the past, they were using arsenic compounds, DDT, etc.... and the material is still there in the sediments. Ms. Mansir pointed out this is a very serious situation. Mr. Horwith went on to say the Village, in communication with the DEC, is in the process of deciding whether to modify the permit further to allow the proposed excavation. He said either way, it doesn't change the fact the Trustees own the bottomland that will be excavated. Mr. Drew asked what Mr. Horwith's relationship is with the Friends of Georgica. Mr. Horwith replied the Friends of Georgica set up a funding mechanism; and the individual homeowners are obtaining permits for actual phragmite removal and he is working with both of them. Mr. Armstrong asked Mr. Horwith how the low pressure machine works. Mr. Horwith explained it is used to cut the phragmites, excavate and then transport it to the shore. He asked if the Trustees want to stay in the same role of endorsing the projects, or do they want to become the applicant. Ms. McNally replied she felt the Trustees should remain as endorsers of the projects.

Eric Brown was present concerning the application of John Callichio for phragmite removal adjacent to 306 Georgica Road. He noted the owner has applied to the DEC and the Village ZBA. He pointed out it is mostly an upland wetlands invasive species control and restoration project. Mr. Brown said the Trustees had requested a survey and it was recently submitted. He pointed out this project is less complex than Mr. Horwith's. Ms. McNally said she had requested a "Letter of Intent" from the applicant. It was agreed a "Letter of Intent" will be sent to Mr. Brown which will be completed, returned to the Trustees and attached to the permit if granted.

The following phragmite control projects are to be reviewed by the Georgica Pond Committee: a) Chauncey Close; b) MMR Real Estate Holdings, LLC; and c) One Association Road (a.k.a. My Wife Really Likes It).

Concerning the Lebowitz dock in Hog Creek, Ms. McNally reported no one has been to the site, but the (previous) Board was waiting for an updated survey which shows the dimensions of the structure. She noted this is a dock which was missed in the inventory and attempts to contact the property owner failed. Now that the property is in the process of being sold, the owner is looking for the Trustees to acknowledge the dock. A survey prior to 1984 which shows the dock, indicates it is pre-existing. Ms. McNally added when the updated survey is received and the Board determines the exact footage of the dock, an Annual Agreement can be initiated.

Mr. Byrnes reported he received one bid for the removal of an old cement boat ramp on Trustee property, at the end of Alewife Road. He noted he will bring both bids before the Board when he receives the second one. He pointed out he previously contacted the Highway Department to inquire if they could assist the Trustees, but they do not have the manpower. Mr. Byrnes added he would like this acted upon sooner rather than later. He asked Ms. McNally to explain the bidding process. Ms. McNally pointed out the Trustees are not bound by the same bidding requirements as the Town, but can follow their guidelines and structure. She explained if a project costs more than a certain amount (i.e. \$20,000) and the Board follows the Town

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guidelines, a public notice is placed in the Star to include the project specs, etc.... and bids will be received. If the amount is less than \$20,000, the Board can make the determination whether they want to expend the money or not, without the public bidding process.

The Clerk reported no new information has been received concerning the proposed excavation of Fresh Pond.

Concerning the proposed maintenance dredging of Devon Yacht Club, Ms. Mansir reported she feels the project needs to be done and is a matter for the Napeague Committee to review. Ms. McNally pointed out there had been some confusion as to the Trustees jurisdiction within the inlet leading to the boat basin. She added a new application for the maintenance dredging should be submitted. Mr. Byrnes added Devon Yacht Club did extensive bulkhead work in the summer of 2015.

Ms. McNally submitted an amended lease form to coordinate with the 2016 Rules and Regulations for Lazy Point. A motion was made by Ms. Mansir to approve the amendments to the lease form. This motion was seconded by Mr. Grimes and unanimously approved.

Concerning the Lester Preserve and Marina Lane Preserve, Mr. Grimes said the Nature Preserve Committee are working on monitoring controls and will report back to the Board in a few months as to the progress made. Ms. McNally reported she attended the last Nature Preserve Committee meeting regarding the proposals to create generic management plans for both Nature Preserves and Community Preserves. She said she reviewed the proposals and recommended the Trustees submit comments. She pointed out the proposals include language whereby the management of the Preserves will include recommendations/review by advisory departments. Ms. McNally went on to say these recommendations and management plans should include a consensus of all the participants, including the Nature Preserve Committee. She stated in one portion (of the proposal) the plan indicates in the event of a public hearing, the Town Board can amend it if they feel it is necessary. In regard to the South Flora Nature Preserve, Mr. Grimes pointed out the management plan was generated by the Nature Preserve Committee (which reflected some of the Trustees input); yet was amended by Natural Resources; and ended up with the Town Board, as an unrecognizable document. He stated Natural Resources totally eliminated the public's access to the property, put the parking 800+ feet away and somehow seized control of the beaches in front of it. He said he would like to think this was a mistake, but at no point did Natural Resources or the Town Board come back to the Trustees or the Nature Preserve Committee for an opinion on the amendments. Mr. Grimes pointed out the plan was adopted by the Town Board and he isn't sure if they clearly understood it. He said he felt it is important for the Trustees to respond to the Town Board to develop protocols and a better dialog with Natural Resources going forward. The Clerk said he is interested in the statement that the control of the beaches was taken and asked in what way this was done. Mr. Grimes replied the way they laid out the piping plover protection area totally disregarded the beach access. The Clerk asked if it is different from the way the rest of the beaches are being handled. Ms. McNally explained the Nature Preserve has boundaries, the southerly boundary being the beach grass line and the management plan includes the protection measures for plovers on the beach in front of this

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boundary which is not part of the Nature Preserve. In a discussion, Ms. McNally said she has represented the Trustees at the Nature Preserve Committee meetings and always asked that the record indicate the Trustees should be an ex-officio or non-voting member. She stated a distinction should be made now that Mr. Armstrong and Mr. Grimes are both Trustees and members of the Nature Preserve Committee. If either represent themselves, they can vote on the committee matters; but if they are there to represent the Trustees, they shouldn't vote. Mr. Byrnes stated he felt it could be looked at as a conflict. Mr. Whalen replied it should be fine as Mr. Armstrong and Mr. Grimes were appointed to the Nature Preserve Committee before they became Trustees. It was agreed a letter will be sent to the Town Board indicating the management plan adopted for the South Flora Nature Preserve includes property outside its boundaries.

The Clerk reported the Long Island Shellfish Managers meeting is scheduled for Wednesday, February 3rd at 11:00 a.m. at the DEC headquarters in East Setauket. Mr. Armstrong and Mr. Grimes will attend the meeting.

A request was received from the Building Department for notification that all conditions of the permit issued to Arthur Beckenstein for dock repair have been met. Mr. Taylor reported he inspected the site and everything appears to be in order. A memo will be sent to the Building Department to this effect.

In a brief discussion regarding the scallop sanctuary "no-take zone" in Napeague Harbor, Ms. McNally pointed out John (Barley) Dunne, Director of Aquaculture indicated he doesn't want to reinstate it for 2016. The Clerk said he will contact Mr. Dunne to find out his reasoning for this decision.

The Clerk reported the Trustees presently pay Hamptons Web Design through automatic payments with a debit card account through Bridgehampton National Bank. He noted the balance on the account is usually \$300.00 and there is a \$12.00 service charge per month. He recommended obtaining a debit card through Suffolk County National Bank. Mr. Grimes said he didn't feel it would be a good idea to get a debit account at Suffolk County National Bank as a majority of Trustee funds are in there. He added a debit account should have a limited amount of money available. The Clerk said he will contact Bridgehampton National Bank to inquire about the service charge. Ms. McNally advised the Board that all Trustee funds contained in the accounts held by Suffolk County National Bank are secured.

The Clerk said he would like to review the mass gathering permits to get an idea how to streamline the permit process. He said he would also like to talk with the Records Committee about a new process for reviewing the minutes at another time.

The meeting was adjourned at approximately 9:30 p.m. by the Clerk.

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