

**MEETING OF JULY 28, 2015**  
**OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY**  
**OF THE TOWN OF EAST HAMPTON, NY**

Present:	Diane McNally, Trustee Clerk Timothy Bock Brian Byrnes Deborah Klughers Sean McCaffrey
Not Present:	Stephanie Forsberg, Assistant Clerk Stephen Lester Nathaniel Miller Bill Taylor
Also Present:	John Courtney, Trustee Attorney Lori Miller-Carr, Trustee Secretary Christopher Walsh, Star Reporter Tyler Armstrong Ira Barocas Carol Bennett Mary Croghan Rick Drew George Eldi Jim Grimes Rosemary Killen Rona Klopman Donald Vanderveer

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

Ira Barocas spoke regarding the need for access to the South Flora Nature Preserve. He pointed out since the last public hearing there has been a lot of misinformation and falsehoods made public. He went on to say he felt the Draft Management Plan is a model of fairness to the environment and cognizant of the public's right to access. He expressed appreciation to the Board for their work in regard to this matter. Zachary Cohen reported Kim Shaw, Natural Resources Director and Steve Lynch, Superintendent of Highways are going look into various possibilities for access to the Preserve. He said he met with the Supervisor and went over several different alternatives, but it is essentially up to the Town Board now.

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Tyler Armstrong reported there is a decline in horseshore crabs and asked if the Board would consider implementing harvest regulations. The Clerk said she would like to talk with the local baymen to get their opinion on this matter. Horseshoe crabs will be further addressed at the meeting of August 14th.

A motion was made by Mr. Byrnes to approve payment of the following bills: a) Edson International- \$74.50 (valve for pump-out boat); b) Staples- \$86.62, \$18.24, \$13.80 and \$397.40; c) Herzog & Little, CPAs- \$2,675.00. This motion was seconded by Ms. Klughers and unanimously approved.

A motion was made by the Clerk to approve the renewal of a Certificate of Deposit at Suffolk County National Bank which will mature on July 30, 2015. This motion was seconded by Mr. McCaffrey and unanimously approved.

A motion was made by Mr. Byrnes to accept the Financial Report for the month ended June 30, 2015 as presented. This motion was seconded by Ms. Klughers and unanimously approved.

The Clerk reported updates were received from the Department of Natural Resources in regard to removal of Plover fencing in various areas throughout the Town.

The Clerk noted Dr. Gobler and Kim Shaw have been corresponding regarding water monitoring in Fort Pond in Montauk as blue-green algae has been found. They are keeping track of it. She reported Dr. Forsberg has advised that all waters in the Town of East Hampton continue to test normal. Although Georgica Pond is struggling with dense accumulations of macro-algae (which are not harmful), no blue-green algae have been found.

In response to the proposed amendments to CPF regulations from Legislator Fred Thiele, the Clerk asked the Board if they had an opportunity to review them. The Clerk noted she felt the Trustees would support monies for remediation and water quality improvements. Mr. Cohen told the Board after several discussions with Mr. Thiele, it was agreed this will not come up for a referendum until 2016 and needs more precise guidelines.

Concerning the 25<sup>th</sup> Annual Largest Clam Contest, the Clerk proposed changing the date to Sunday, October 4<sup>th</sup> as opposed to September 27<sup>th</sup>. She also pointed out, as it seems to get more crowded every year, she would like to hold the contest at a different location other than the Trustees office. It was agreed a location will be agreed upon at the next Trustee meeting.

An application was received from Eileen Raffo for sand fence placement on Lots 13N and p/o 14N at Lazy Point. Upon review, it was determined the application is a photocopy of the last submitted. The Clerk noted she will contact Ms. Raffo and ask her to submit a new application.

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The Clerk reported an application was received from East Hampton Marina (Geoffrey Briggs) for piling replacement. She asked the Three Mile Harbor Committee to review the application.

A Notice of Complete Application was received for the Natural Resources Special Permit for the Hodin residence. As variances are requested in regard to replacement of a house on Kings Point Road, the Clerk asked the Hog Creek Committee to review the information for comments. She noted there is also an application for the Yinz property on Whaler's Lane to configure a driveway and walkway. She added there is a Trustee parcel seaward of this parcel.

An application was received from Marilyn Badkin for a seasonal shore line fence on Lot 19N at Lazy Point. The Clerk asked the Napeague Harbor/Lazy Point Committee to review said application.

Concerning a dock repaired in Accabonac Harbor without a Trustee permit, the Clerk said Mr. Miller had reported this and she is waiting to receive additional information from him.

Mr. Byrnes reported he made repairs to the kayak racks at Louse Point. He expressed appreciation to the Park Department for supplying the Trustees with the materials. A memo of thanks will be sent to the Parks Department.

The Clerk reported the requested information has been received from Slipper Shell Studios for repair prior of a stairway. She will send a letter to the agent this to effect.

An as-built survey and photographs were received from Irving Paler following installation of shoreline fencing. The Clerk will send a letter to Mr. Paler indicating all conditions of the Trustee permit have been met.

The Clerk said she contacted the Assistant Town Attorney regarding revising litter regulations and fines for consistency. She added the Attorney is in the process of working on the regulations.

Ms. Klughers presented photographs of garbage and garbage cans (which were taken by Dell Collum) on Village beaches and asked the Board what they plan to do about it. In a lengthy discussion, a motion was made by Ms. Klughers to send a letter to the Village asking for removal of the garbage cans on the beaches during the evenings; and also request a representative attend the next meeting to discuss this matter further. This motion was seconded by Mr. Byrnes. The Clerk was opposed to this motion.

The Clerk reported she will schedule a meeting with Bruce Horwith to discuss the following phragmite control applications: a) Yass; b) Hall; c) Chae; d) Estate of H. Fred Krimendahl; and e) Sam Quelle Farm as additional information is needed.

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Concerning the application of OGP, LLC for phragmite control and revegetation, Mr. Courtney said he spoke with the attorney and requested a copy of the subdivision map in order to define the property line.

Concerning the application of Calicchio for landscaping and native plant establishment, the Clerk stated the project plan is based on an actual survey and the survey was not included with the application. She added she will contact the attorney and request a copy of the survey.

The Clerk reported Mr. Reiss at Driftwood Lane has been asked to comply with the conditions of the Trustee permit (i.e. submission of an as-built survey and removal of rocks) but has not done so to date. She added she will reference Town Code regulations in further correspondence.

The Clerk reported notification of completion of the Silver bulkhead project has been received; however, the as-built survey has not been submitted to date. Upon contacting the agent, she was advised other work is being done on the property and the as-built survey will be forthcoming.

Concerning the Cangro shoreline fence which was installed without a Trustee permit, the Clerk said Ordinance Enforcement has issued a violation. She added a Trustee application was previously sent, but no response has been received yet.

Ms. Klughers reported Bonac Buy and Sell started removing the derelict boat and other debris on the unnamed Trustee road to Napeague, but because there is so much brush that has grown around everything, they decided it was best to wait until the fall to finish the work. A motion was made by Ms. Klughers to pay \$1,500.00 to Bonac Buy and Sell as half of the payment due for removal of the derelict boat (and other debris) on the unnamed Trustee road to Napeague. This motion was seconded by Mr. Byrnes and unanimously approved.

The Clerk reported she has been reviewing the Lazy Point Rules and Regulations and forwarded proposed amendments to Mr. Courtney for his review. She added this is an ongoing process which the Board will continue to move forward on.

Mr. Byrnes reported the last meeting of the Lazy Point leaseholders and Trustees went very well. It was agreed the next meeting will be scheduled for Tuesday, September 1<sup>st</sup> at 6:00 p.m. at the Trustees office.

A memo was received from the Building Inspector inquiring if the Trustees have any concerns prior to the issuance of a Certificate of Occupancy to the Devon Yacht Club. The Clerk noted she will send a response advising the Building Inspector the applicant has yet to submit an as-built survey for last year's bulkhead repair project and a new Trustee application is required for any work proposed in 2016.

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A Notice of Incomplete Application from the Suffolk County Health Department in regard to the proposed relocation of the Knobel house to Lots 45N and 46N at Lazy Point has been received.

Ms. Klughers reported the Highway Superintendent has agreed to regrade the parking area by the Lazy Point launching ramp. It was agreed a memo of appreciation will be sent to the Highway Department.

The Clerk reported a commercial bayman told her his boat, which is located in Napeague Harbor (by the launching ramp), has been vandalized three times this season. She added she was very disappointed to hear this.

Concerning the properties which were issued violations at Hedges Banks, the Clerk noted a survey indicating the deed line on the Kahn property has been requested; a survey is forthcoming from Strauss and Reid; and a new application must be submitted for Sawitsky.

Mr. McCaffrey reported he inspected the Coe dock and found it to be in compliance with the permit issued by the Trustees. He confirmed the ramp is aluminum. A letter will be sent to Mr. Coe advising him the Trustees are satisfied with the completed project.

The Clerk reported there are some concerns with the Feeney dock repair project regarding the dimensions of the dock and pilings. She said she will review the file and report back to the Board. She added the PND Hamptons, LLC survey matches what was approved by the Trustees.

In the Report of the Clerk, it was noted the first draft of the audit report was received. She said all in all, it looks like everything is in order but a few recommendations were made. She added the auditors referred to the Trustees as a “component unit” and she would like to clarify this with them. A Town budget meeting is scheduled for Wednesday, August 12<sup>th</sup> at 11:15 a.m. at Town Hall. Concerning the Wagner retaining wall, the Clerk reported although the issue was settled in court and the applicant was fined; the Trustees want the retaining wall off the beach. It was agreed a letter will be sent to Mr. Wagner requesting its removal. The Clerk reported the Trustees were asked to participate in a Coastal Resiliency Committee formed by Natural Resources as required by a recent grant. She added a meeting will be held on Thursday, July 20<sup>th</sup>. The Harbormaster advised the Clerk his staff issued over 800 violations in a week (including shellfish violations).

Ira Barocas reported there is a proposal for the Town to purchase the former Olsen property on Squaw Road and turn it into a Nature Preserve. He added a public hearing will be scheduled and he would appreciate the Trustees support. Zachary Cohen noted there is a section at Babes Lane which could be restored as a beach. He added he would like to work together with the Trustees and Town regarding this.

Donald Vanderveer of Three Mile Marina reported he has removed the moorings left in Three Mile Harbor several years ago by Don Tisdall.

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Rosemary Killen informed the Board she will be submitting a Trustee application for dock repair on Oyster Shores Road.

Mr. Brynes reported he has been in contact with Councilman VanScoyoc concerning repair of the Lazy Point launching ramp. He noted Councilman VanScoyoc is in the process of finding an engineer to draft plans to improve/relocate the ramp and will continue to work on this.

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

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