

MEETING OF JUNE 9, 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
Stephen Lester
Sean McCaffrey
Bill Taylor

Not Present: Nathaniel Miller

Also Present: John Courtney, Trustee Attorney
Lori Miller-Carr, Trustee Secretary
Christopher Walsh, Star Reporter
Tyler Armstrong
Janice Badkin
Ira Barocas
Carol Bennett
Joshua Davidson
Rick Drew
George Eldi
David Elze
Anne Hall
Bruce Horwith
Rona Klopman
Vincent Priore
Barbara and Leslie Segal
Diana Walker

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

The Clerk acknowledged LTV is filming the meeting and asked those who want to address the Trustees to come to the podium.

Ira Barocas told the Board he is a member of Springs Citizens Advisory Committee. The Springs School proposal for funding of a new parking lot was rejected by the voters. He said the

6/9/15

school has formed a facilities committee to consider expansion and repairs. He has approached the school board as well as Environmental Protection Director, Kim Shaw and the chair of the CAC as he feels it is an error to leave out consideration of a wastewater treatment facility at the school. He said a facility would benefit Pussy's Pond and the waters contiguous to Accabonac Harbor.

Rona Klopman told the Board she appreciates the fact the Trustees have decided to allow LTV to film the meetings. She said the Town Board discussed beach fires and debris at their work session today. She asked if the Trustees have a liaison to the Town Board and if the Board was aware of this. The Clerk told Ms. Klopman the Town Board and Trustees are equal governmental entities and do not have liaisons between them. She said the Supervisor and/or the Councilpersons usually correspond directly with the Trustees on any particular topic. In a discussion, Ms. Klopman said her beach association would like the Town to require metal containers for beach fires.

Bruce Horwith inquired about the status of Georgica Pond dredging. The Clerk said she has been reviewing a draft permit application and if the Trustees are in agreement with her amendments, she will forward it to Kim Shaw, Director of Natural Resources. A motion was made to further amend the letter to Mrs. Shaw, in regard to the permit application for the dredging of Georgica Pond. Upon a majority of the Board approving said amendments, the Trustee comments will be forwarded. This motion was seconded by Dr. Forsberg and unanimously approved. The revised letter will advise Mrs. Shaw the Board approved expending up to \$25,250.00 for the application process; with the condition the sand can be sold by the Trustees to defray project costs.

Anne Hall, a Georgica Pond homeowner, asked if the dredge proposal includes excavating the same amount of material as in years past. She expressed concern about the low oxygen levels near the Cove and the appearance of algae. The Clerk noted 12,000 cubic yards was removed annually in the past, if weather permitted. Dr. Forsberg said if the Trustees request more, it could slow the process down. Mr. Horwith stated he felt the Cove should be included in the dredging proposal. The Clerk added there are a lot of variables to work out.

A motion was made by the Clerk to approve the applications of David Gallo, Alfred & Jane Ross, Janet Ross, and David Topper for phragmite removal with the following conditions: a) submission of \$25.00 (per applicant) in addition to the \$75.00 fee (per applicant) which was originally submitted as a renewal, but as the permits expired on May 28, 2014 and they are now considered new permits; b) submission of an annual progress report; c) submission of verification forms from each applicant annually; d) submission of new color photographs annually; e) an as-built survey in 2020 unless required sooner by the Trustees and f) submission of a letter indicating the revegetation is not intended to encroach into Georgica Pond. This motion was seconded by Ms. Klughers and unanimously approved.

6/9/15

Leslie and Barbara Segal were present regarding a deteriorated jetty near 27 Old Fireplace Road, which is in close proximity to their property at 33 Old Fireplace Road. They expressed concern as they feel it is a dangerous situation. Mr. Segal told the Board debris has broken off and damaged another neighbor's bulkhead. He asked if the Trustees know who is responsible for removal of the bulkhead. The Clerk noted there is no record of a permit being issued by the Trustees or any other agency; it will be hard to get anyone to take responsibility for the jetty. Mr. Courtney advised the Segals to contact Ordinance Enforcement to start.

Joshua Davidson was present concerning graffiti on the jetty rocks at Maidstone Beach. The Clerk distributed copies of photographs which Mr. Davidson emailed to the Trustees office. She noted upon review of the Town Code, there are regulations against defacing of public property in Chapter 91. There was a brief discussion about removal of the graffiti without causing further environmental damage. It was agreed the Clerk will contact Natural Resources to request their advice.

A motion was made by Dr. Forsberg to approve payment of the following bills: a) Optimum- \$144.80; b) A. Tohill- White Sands- \$1,531.25; c) Star Island Yacht Club- \$331.95; d) North Fork Water Supply Corp.- \$64.95; e) Seacoast Enterprises Associates, Inc.- \$208.68 and f) East Hampton Star- \$37.66. This motion was seconded by Mr. Lester and unanimously approved.

A motion was made by the Clerk to allow the Winter-Flounder Stock Enhancement Certificate of Deposit at Suffolk County National Bank to roll-over. This motion was seconded by Dr. Forsberg and unanimously approved.

A motion was made by Mr. Byrnes to approve a financial report for the month ended May 31, 2015. This motion was seconded by Mr. Bock and unanimously approved.

A motion was made by the Clerk to approve the minutes of April 14, 2015. This motion was seconded by Mr. McCaffrey and unanimously approved.

A meeting is scheduled with representatives of the US Fish & Wildlife Service, the Supervisor, Natural Resources, the Harbormaster and the Trustees for Monday, June 15, 2015 at 11:00 a.m. at the Amagansett National Wildlife Refuge to discuss the Piping Plover/Least Tern fencing area.

Concerning the South Flora Nature Preserve Management Plan, a public hearing has been scheduled for July 2, 2015. The Clerk noted she has been reviewing the Draft Management Plan and provided comments to the Trustees to review. She added most Board members feel the beach access should be clarified as an access, not a trail. Mr. Taylor noted the survey has been received.

A Hook Pond Water Quality meeting will be held tomorrow, Wednesday, June 10, 2015 at 2:00 p.m. at the Village Hall. The Clerk will attend the meeting.

6/9/15

Dr. Forsberg reported Dr. Gobler has informed her all the Trustee waters which he tests are in good condition. She noted the recent rainfall helped with the results from Georgica Pond. Although there has been some appearance of micro-algae, it is not considered a threat; but it could be an indicator of future problems. The Clerk asked if it would be possible to remove the non-toxic, but unsightly algae from the top of the Pond. Dr. Forsberg replied it would be costly and might come back within a short time. She also noted stirring up the algae might cause more of a bloom. She stated basically, there are too many unknown factors. Dr. Forsberg emphasized the importance of excavation of the Pond. She added she felt there has been a cooperative effort among the homeowners to work together with the Trustees and Dr. Gobler to get the funding and data necessary to excavate the Pond.

Ms. Klughers reported yesterday (June 8th) was World Oceans Day. She told the Board she will be working on recycling of monofilament line by distributing boxes to local marinas and other businesses for the public to dispose of their line. She noted upon collection, the boxes will be sent back to Berkley-Trilene in Iowa for recycling. A box will be available in the Trustees office.

A motion was made by Dr. Forsberg to approve a request from Project Most to participate in a clamming trip with Barley Dunne , Aquaculture Facility Director on July 23, 2015 in Three Mile Harbor. This motion was seconded by Mr. Bock and unanimously approved.

Notice of Complete Natural Resources Special Permit Applications were received for the Krug property at Hands Creek Road for installation of a pool; and the Scalia property at Bay Inlet Road for replacement of a roof. The Clerk asked the Committees to review for possible Trustee concerns.

A notice of start was received from the agent for the Meeker bulkhead repair project. In response to a complaint from a neighbor that an excavator is disturbing the beach, Ms. Klughers inspected the site and reported the excavator did not seem to be causing a disturbance or blocking the beach access.

Mr. Taylor reported the DEC water quality data received for Accabonac Harbor indicated the contamination numbers were high but he felt it is because the testing was done after a rainfall and no action was necessary. He added he asked Lisa Tettelbach of the DEC to take the rainfall into consideration.

Ms. Klughers reported the Highway Department assisted her in ordering Georgica Crabbing and Road End Shellfish Signs. She and Mr. Miller made a list of all the road ends where signs should be installed. She added the signs are expected to be delivered in two weeks. It was agreed a memo of appreciation will be sent to the Highway Department for their assistance in this and also the “no littering” sign which was placed at Fresh Pond.

6/9/15

Ms. Klughers stated many officials have voiced their opposition to the spraying of mosquitos with methoprene by Vector Control in the Town of East Hampton; in particular Accabonac Harbor. She said she has attempted to find a lab that would test sediments but didn't have any success. She also contacted Chris Pickerel at Cornell Cooperative Extension concerning this matter. She stated she felt the community has to take a more proactive approach and consider starting a mosquito larva removal program. Ms. Klughers added Vector Control will be spraying along Accabonac Harbor tomorrow.

Ms. Klughers reported the eelgrass restoration project with Clearwater Beach Property Owners Association and Lion Head Beach area residents has been a huge success and is considered a milestone in the region. She noted restoration projects have also been done in Napeague Harbor and Northwest Creek. An Eelgrass Restoration Forum as well as other educational topics was scheduled for Wednesday, August 19th at the Art Barge. She added Kim Barbour of Cornell Cooperative Extension, Kim Shaw, Director of Natural Resources and others will be present.

A notice was received of a Shinnecock Bay Restoration Program being held on Saturday, June 20, 2015 from 10:00 a.m. to 3:00 p.m. at the Stony Brook Southampton Marine Station.

The Clerk reported she attended the Scholarship Awards Ceremony at East Hampton High School on Thursday, June 4, 2015. She added Sophie Spencer was this year's recipient of the Rysam Fund Scholarship, and showed the public the photo of a dog on the beach submitted by Ms. Spencer.

The Clerk said she was advised Girl Scout Cadette Troop 419 would like to attend the Trustees meeting of June 23, 2015 to discuss noise pollution at Pussy's Pond. She added this matter will be placed on the Trustees agenda.

Ms. Klughers reported she inspected the Roche bulkhead and all the conditions of the Trustee permit have been met including the installation of a retractable staircase. She added her only concern was a cut footpath through the upland vegetation. The Clerk will notify the Planning Department of this matter.

Concerning the Reiss bulkhead repair at 18 Driftwood Lane, the Clerk stated a complaint was received that the Reiss's were making a claim to the beach. Ms. Klughers said she will inspect the site for boulders which were to be removed during the repair project. The Clerk added she will request the as-built survey from the applicant.

The Clerk reported Devon Yacht Club inlet has been dredged into Napeague Bay. She said they acted in accordance with the permits, but a Trustee permit was not required. Upon inspection of the site, it was determined a permit should have been required as the project is located within Trustee jurisdiction. It was agreed a letter will be sent to Mr. Walker, the agent, advising him a Trustee permit will be required before dredging next year.

6/9/15

Ms. Klughers reported both she and Mr. Miller received estimates for removal of the derelict boat and other debris at the end of a dirt Trustee road off Napeague Harbor Road. She added they will submit the estimates to the Board at the meeting of June 23, 2015.

A notice of completion was received following the Grecco sand replenishment project on Bayview Avenue. The Clerk noted the office was advised that work was being done in the same area and might have been at the former Graboski property. The Committee will inspect the site.

A Nature Preserve Committee meeting will be held on June 11, 2015 and the minutes of May 13, 2015 were received.

Concerning the Calicchio phragmite removal project, the Clerk reported she will contact the attorney for submission of additional information to complete the application to the Trustees.

The Clerk reported the Kahn and Strauss properties at Hedges Banks are in the process of complying with violations issued. She added she will investigate the status of the other properties issued violations by Ordinance Enforcement along Hedges Banks.

A notice of completion was received for the Walsh bulkhead repair project. The Clerk asked the Three Mile Harbor Committee to inspect the site.

A Notice of Public Hearing for Front Row Properties was received from the Zoning Board of Appeals. The Clerk noted the applicant was previously granted a permit from the Trustees for bulkhead reconstruction on Three Mile Harbor Road.

The Clerk reported memos were sent to the Supervisor and Town Board concerning the following: Indian Wells alcohol prohibition indicating no notification was received of the public hearing; a proposal to increase litter fines; and a budget error in the Trustee salaries. A memo was sent to the Village requesting removal of garbage cans from the beaches; and also to the ZBA requesting notification of projects being done adjacent to Trustee properties. The Clerk reported letters were sent to local real estate offices asking they not advertise beaches as being included in the sale of waterfront properties. In response to a complaint from a representative of Hampton Waters Association in regard to the number of kayaks in area, Mr. Byrnes said he would do an inspection and report back to the Board. The Clerk noted an invitation to a general public forum was received from the Southampton Town Trustees. The forum will be held on June 19, 2015 at 7:00 p.m. at Southampton High School. She added a Department Heads meeting was held on Thursday, May 28, 2015.

Janice Elze said she felt whoever is responsible for installing the piping plover fences should make sure the areas are cleaned up after the fences are removed. She added there are areas where laminated signs and other items are left behind. Mr. Taylor said he felt the monitors make every effort to clean up the beaches upon removal of the fences.

6/9/15

The Clerk noted the general correspondence which was received for informational purposes. She added it is available in the Trustees office for review.

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

6/9/15