

MEETING OF MAY 9, 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
Susanna Herrmann
Bruce Horwith

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

Bruce Horwith gave a brief Power Point presentation for the application of C. Klein phragmite control at 75 West End Road. There are two separate areas: one is along the shoreline (approx. 5,925 sq. ft.) which will be hand cut and planted with native vegetation and the interior (approx. 47,653 sq. ft.) will be hand cut and the native plants will remain undisturbed. Applications submitted to other agencies are still pending. This matter was tabled until the meeting of May 23rd.

A motion was made by Mr. Grimes to approve renewal of the Trustee permit issued to Nancy and John Lerner for bio-log and dock reconstruction at 10 Oyster Shores Road with the standard conditions. This motion was seconded by B. Byrnes and unanimously approved.

A request was received from the County for a list of priority dredging projects for the fall 2016/winter 2017. It was agreed Accabonac Harbor inlet would be added to the priority list as well as Northwest Creek. A letter will be sent to the County before the June 30th deadline. Ms. Mansir said soundings are going to be done of Accabonac Harbor by Harbormaster Ed Michaels and forwarded to the County. There was a discussion regarding the possible purchase of dredge equipment. Mr. Grimes felt this could be very expensive (i.e. maintenance, insurance, etc...) and suggested the Trustees consider hiring a contractor who has dredging equipment instead.

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Mr. Grimes will meet with Brian Frank regarding the Clemente bluff restoration project which is up for public hearing. He will report back to the Board at the next meeting.

Concerning the ZBA Hearing of Gerald Breslauer, it was noted this is for installation of a swing set and is not located in the area of Trustee jurisdiction.

In response to an inquiry from Diane Saatchi concerning two vacant lots at the end of Towhee Trail- Middle Highway that are landlocked, Mr. Whalen reviewed the tax map but has not reviewed a survey. He will contact Ms. Saatchi to discuss this matter further.

Mr. Whalen reviewed an access easement received for access over Ancient Highway on the south side of Cosdrew Lane and recommended the Trustees approve it. A motion was made by Ms. McNally to authorize the Clerk to sign an access easement for access over Ancient Highway. This motion was seconded by Mr. T. Bock and unanimously approved.

Ms. Mansir reported there is no new information re: installation of a ramp at Alewife.

Although no updates were received concerning plover fencing, Mr. Byrnes urged the public to keep their dogs on leashes when walking them on the beach so they do not traverse inside the plover fences.

Ms. McNally, Mr. Grimes and Mr. Whalen met to discuss simplifying the shoreline fence permit application process. The Town Code (255-4-70) presently indicates the Natural Resources Department and Trustees issue shoreline fence permits. A request will be submitted to the Town Board requesting the process be streamlined so the Trustees would issue permits for all areas west of Montauk (Hither Hills). It was noted fencing will automatically give the applicant the right to plant beach grass; but only up to fence line with specific standards. A plastic medallion permit will be placed on the fences for identification purposes. Ms. McNally presented a draft of a permit application for review by the Board. Mr. Whalen felt the Trustees should view that ownership of beach begins seaward of the edge of beach grass line south- on the ocean side.

The Clerk reported no new information has been received on the Lebowitz dock in Hog Creek.

In a discussion regarding kayaks, Mr. Byrnes will continue making minor repairs to racks, if needed and keep track of the kayaks to insure they have permits. A request to waive impound fees was received from three people who left their kayaks on the racks at Settler's Landing all winter. A response will be sent advising the applicants that all kayaks must be removed by November 1st and the Board will not waive the impound fees.

In response to an inquiry by John (Barley) Dunne concerning a dingy dock at Gann Road, Mr. Taylor recommended the Trustees consider installing the dock in a different area; perhaps in the area in front of the former Helm property. The Three Mile Harbor Committee will look into this and report back to the Board.

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Mr. Byrnes reported the ramp has been installed at Northwest Creek by the County.

Ms. McNally reviewed the following sand fence applications and made recommendations: LFX Group, LLC- the applicant wants to install shoreline fence on a beach front parcel owned by the Nature Conservancy. 101 LPL, LLC- the survey submitted included three tie lines, but didn't include the date when the measurements were taken. This will be discussed further with Mr. Whalen. Further Lane Homeowners- the survey submitted is certified to someone other than the applicant and the applicant has signed on behalf of an association. It was pointed out Ron Baron is the owner of all the properties in question. Ms. McNally will contact Mr. Mack at First Coastal regarding the applications of LFX Group, LLC and Further Lane Homeowners.

Ms. McNally reported the Rysam Fund Scholarship recipient must be decided upon by May 16th. She has received votes from five Trustees and will get the remaining ones at the office; tally them up and send an email to the Board with the results. She will then notify the high school.

No new information has been received concerning the phragmite control applications of Chauncey Close and MMR Real Estate Holdings, LLC. Mr. Grimes and Mr. Drew met with the agent for One Association Road and addressed the buffer and relocation of the existing septic system. It was noted the planting list is not appropriate for the site. Concerning the application of the Creeks, Mr. Drew reported Mr. Horwith is drafting a plan and will present it to Trustees.

The Board discussed the Aquatic Weed Harvester which was launched on a trial run in Georgica Pond last week. In a discussion, the Board expressed concern that the harvester might disturb the blue crabs or other marine species, as it skims along the bottomland. Mr. Grimes noted this is an experimental project and has to be monitored and followed up on. He felt a management plan must be put in place. Opening the Pond on a more frequent basis was discussed but the Board agreed there are many factors to consider.

Ms. Mansir reported a depth study will be done of Fresh Pond.

A motion was made by Mr. Grimes to approve the application of Devon Yacht Club for maintenance dredging from the mouth of the inlet to the boat basin with the standard conditions including the disposal of the dredge spoil will be on public property. This motion was seconded by Ms. Mansir.

Ms. Mansir reported a meeting is scheduled for Tuesday, May 10th with the engineer concerning the Lazy Point launching ramp. Mr. Byrnes told the Board that Mr. Glennon graded the parking lot and filled in the potholes; and will cover it with crushed stone. The sand which accumulated on the west end of Shore Road was pushed off to the side of the dune by Mr. Glennon and will be moved back to the beach by the Town Highway Department.

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Mr. Grimes reported he inspected the duck blinds which were left at Lazy Point and will remove them. He pointed out an osprey has been roosting on one of the blinds and he doesn't want to disturb it at the present time. He noted there was no evidence of ownership on the blinds (i.e. a display of a permit) and he isn't sure where they were originally placed.

Mr. Drew reported he and Mr. Armstrong met with Mr. Monteleone of Hamptons Web Design and discussed options for upgrading the website to a new format. It was agreed Hamptons Web Design system would be suitable for the Trustees needs as Mr. Monteleone is in the infrastructure business. An addendum will be added to the original proposal and contract that in the event any changes are made, Mr. Monteleone will make sure there is a proper succession plan where the Trustees website will be moved to another server and it will be taken care of on a contract basis. A motion was made by Mr. Armstrong to approve a quote in the amount of \$3,000.00 from John Monteleone of Hamptons Web Design to upgrade the Trustees website. This motion was seconded by Mr. Drew and approved.

In a discussion concerning the application of East Hampton Marina for piling replacement, it was agreed an updated survey should be submitted. A motion was made by Mr. Grimes to request an updated survey from East Hampton Marina for the piling replacement project completed in 2004. This motion was seconded by Mr. Bock. Ms. Mansir was opposed to this motion.

A motion was made by Mr. T. Bock to pay the following bills: a) Optimum- \$155.65; b) Staples- \$151.16; c) A. Tohill- White Sands- \$7,227.50 and d) East Hampton Marina- \$893.84. This motion was seconded by Mr. Grimes and unanimously approved.

The approval of the minutes of March 28, 2016 was tabled for further review.

A motion was made by Mr. Byrnes to approve the Financial Reports as of April 30, 2016. This motion was seconded by Mr. Armstrong and unanimously approved.

Nawrocki Smith auditors will come to the office to review the Trustee financial records on May 12th.

A Harbor Management Committee meeting will be held on May 12th at 6:00 p.m.

A motion was made by Mr. Grimes to open Georgica Pond. This motion was seconded by Mr. Armstrong

A motion was made by Ms. Mansir to approve an estimate in the amount of \$652.80 from Seacoast Enterprises Associates, Inc spring commission and tune up of the Trustee pump-out boat #1. This motion was seconded by Ms. McNally and unanimously approved.

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Correspondence which does not require any action on the Trustees part was acknowledged by the Clerk.

Mr. Whalen reported the Southampton Town Trustees are looking for support re: New York State legislation of Chapter 255 of the Laws of 1818 and Chapter 283 of the Laws of 1831 confirming their ownership and regulation over the waters in the Town of Southampton which they exercised prior to 1818 through the authority of the Dongan Patent. The Board agreed they would like time to consider this. Mr. Whalen will contact the Southampton Trustees.

An executive session was held to discuss pending lawsuits.

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