



MEETING OF AUGUST 13, 2018
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Present: Francis Bock, Trustee Clerk
Bill Taylor, Deputy Clerk
Rick Drew, Deputy Clerk
Brian Byrnes
John Aldred
Dell Cullum
Susan McGraw-Keber
Susan Vorpahl

Not Present: Jim Grimes

Also Present: Christopher Carillo, Trustee Attorney
Arlene Tesar, Trustee Secretary
Christopher Walsh
Jeff Bragman,
Ben Kava
Richard Lester
Bruce Horwith
Si Kinsella
Patrice Dalton
Rod Richardson
Max Rosen
Cate Rogers
Gordian Raacke
Linda James
Joan McGivern
Alice Tepper Marlin
Christine Martin
Nan French
Alexander Peters
Phyllis Italiano
Louis Mackall
Emilia Spolini
Elizabeth Halliday

The meeting was opened with the pledge of allegiance at approximately 6:30 p.m.

The Clerk ordered that a roll call be taken. All present except Trustee Jim Grimes.

Bruce Horwith addressed the Board regarding the application of Clifford Ross for phragmite control at 41 and 47 Cove Hollow Farm Road. Mr. Horwith presented photographs showing thick clusters of phragmite extending into Georgica Cove. Mr. Horwith discussed wanting to time the phragmite cutting with the letting of the Pond. A motion was made by Rick Drew to approve the application of Clifford Ross for phragmite management at 41 and 47 Cove Hollow Farm. The motion was seconded by Susan McGraw Keber and unanimously approved.

The Army Corp of Engineers permit has been received for the excavation of Georgica Cove. The next step will be to do sediment sampling. Bruce Horwith is the agent for this project. He would like to do the excavation around September 15, prior to the letting of the Pond. Rick Drew and Brian Byrnes said they would like to have a meeting with Bruce Horwith to go over the details.

Si Kinsella provided the Trustees with a graph showing data relating to the blue/green algae concentration in the water at both Wainscott Pond and Georgica Pond from 2016 to the present. No one is sure what is responsible for these outbreaks. Wainscott Pond is shallow and comprised of fresh water. They have reached out to Suffolk County for recommendations and are considering replacing all the waste water systems around Wainscott Pond at the same time. Susan McGraw Keber asked Si Kinsella if Dr. Gobler had determined if there was contamination in Wainscott Pond from the same chemicals found in Wainscott residential wells. Si said Dr Gobler was bringing them an updated analysis this coming Sunday regarding the Wainscott pond water quality situation.

Patrice Dalton told the Board that at Block Island, a cable installed and maintained by National Grid not Deepwater Wind, was exposed off a popular bathing beach. Ms. Dalton said that when this cable was installed by National Grid, they encountered obstacles and did not bury it to the proper depth. Ms. Dalton suggested the Trustees make sure that should DWW hits problems in their construction, such as this, that there is someone qualified available to address the setback and come up with a good solution. She also suggested that the Trustees have a service issue resolution agreement to deal with problems that may arise in the future with the construction of the SFWF.

Rod Richardson gave a presentation to the Board about Cartwright Island. He said that since 2005, public access to Cartwright Island has been denied. Currently a private security company is intimidating families, boaters and paddleboard users who go on the beach or come in the vicinity of Cartwright Island. Mr. Richardson has located the Dongan Patent that gave Gardiner's Island to the Gardiner family and it does not refer to granting ownership of the beaches to the Gardiner family, as the Trustee's Dongan Patent document does.

Max Rosen reported he was approached by two different private security boats, while he was paddle boarding in the bay in the area of Cartwright Island. He was not on the island or attempting to go to the shore of the island. He didn't understand why he was stopped while paddling past the Island.

Cate Rogers is a member of the Climate Reality Project (Al Gore) and a resident of Springs. She supports the DWW South Fork Wind Farm. She said we should be looking at the cost of the wind farm compared to the cost of continuing to pour carbon into our air and oceans through the burning of fossil fuels. We stand to pay a much higher price by destroying our environment with our continued reliance on fossil fuels than we will be paying Deepwater Wind to bring us a renewable energy source. Cate Rogers provided a slide presentation derived from the Climate Reality Project depicting scientific global evidence to substantiate her comments.

Gordian Raacke of Renewable Energy Long Island (RELI) gave a power point presentation about climate change and ocean acidification. Gordian Raacke said if we take no action up to 50% of our current animal and bird species may die out.

Linda James, chair of the Energy Sustainability Committee, said the committee is developing clean energy portfolios for residents, businesses and community leaders. They are promoting solar, microgrid technology and green building to name a few strategies for reducing our current carbon footprint.

Joan McGivern told the Board that as a business, DWW would be foolish to begin their Article VII process, without first obtaining the real estate easements necessary to bring their cable on shore. They would be taking on an expensive, two year plus process, without knowing if the Trustees will grant permission. She said once you get to the section 68 part of the Article VII proceedings, the real estate rights need to be locked in.

A letter from Springs' resident Alice Tepper Marlin in support of Deepwater Wind (DWW) was read into the record by Cate Rogers. Ms. Tepper Marlin's letter stated the time is now to be transferring to Sustainable energy from Fossil Fuels. She noted that any damage done to the environment by the South Fork Wind Project will be negligible in comparison to the damage that fossil fuels are doing to our current environment. Ocean acidification is one of the major problems associated with the burning of fossil fuels.

Nan French read her letter to the Town Board and the Trustees, while at the podium. She asked the Board to hire independent experts to make sure there won't be harm to marine life if DWW constructs their wind farm.

Alexander Peters thanked the Trustees for always keeping their meetings open so members of the public can have a platform to share their views. He asked the Trustees to continue to protect the public's access to the beaches.

Phyliss Italiano said she can never forget her years as a school teacher when the "3 R's" were taught. Reduce – Reuse – Recycle. If we all continue to live by this code we will have clean water and clean beaches.

Louis Mackall asked the Trustees to please look into the law, as quickly as possible, as it pertains to the public's right of access on the foreshore, or up to the high water mark on Cartwright Island.

Amelia Spolini told the Board that she supports public access to Cartwright Island.

Elizabeth Halliday addressed the Board to add to the record her support to preserve public access to Cartwright Island.

Bill Taylor made a reference to the New York State Public Trust Document which may apply in the case of Cartwright Island.

A motion was made by Rick Drew to approve East Hampton Town's Natural Resources Department's application entitled "Hog Creek Groundwater Seepage. Professional Monitoring and Remediation." The motion was seconded by Susan McGraw Keber and unanimously approved. The Board did request the Town's Natural Resources Department, bring to a future Trustee meeting, a presentation on the project.

The Village of East Hampton requested the Trustees approve an amendment to the rules at the East Hampton Village, Main Beach Pavilion, changing "no smoking" to "no smoking or vaping". The Board discussed it. Francis Bock felt the Trustees shouldn't interfere with the rules inside Village Buildings. The Trustees agreed to let the Village know that they have no objections to the Village changing the rules at the Pavilion, but they do not consent to the Village changing this part of the code as it pertains to the Trustee owned beaches.

A motion was made by Brian Byrnes to approve the East Hampton Fire Department's annual Main Beach Fireworks Fundraiser, on Saturday August 25, 2018. The motion was made with a provision requesting that the Fire Department take extra care cleaning up the firework area from debris. The motion was seconded by Susan McGraw Keber and unanimously approved.

A number of paddleboards were found left on the beach without permits on Gerard Drive and locked to the kayak racks. The Board has been discussing looking into constructing racks designed for paddleboards. John Aldred said he has received a request to provide kayak storage at Babes Lane on Three Mile Harbor. Rick Drew said that he might have ideas for a location on Three Mile Harbor with less boat activity than Babes Lane. Susan McGraw Keber said she has received a request to add additional kayak storage at Settler's Landing beach.

A motion was made by Brian Byrnes to approve the renewal of Trustee Permit HP #1-17 issued to Perella, located at 43 Terbell Lane, for coir log installation. The motion was seconded by Rick Drew and unanimously approved.

Francis Bock reminded the Board that it would be a good idea to begin exploring grant money that might be available for the purchase of a new pump-out boat in Montauk. The current boat appears to have about two more reliable years left before it ends up spending a lot of time out of service for repairs. The Pump-out Boat Committee will follow up on this matter.

A motion was made by Susan Vorpahl to hire a second, part-time pump-out boat operator with the standard terms and conditions. The motion was seconded by Susan McGraw Keber and unanimously approved.

A motion was made by Susan McGraw Keber to close out Trustee Permit HC #12-13 issued to Connolly for bulkhead repair, as all conditions had been met. The motion was seconded by John Aldred and unanimously approved.

Susan McGraw Keber and John Aldred who have been representing the Trustees in the Accabonac Mosquito Larvae Survey this year, observed that it seems to be the same areas of marshland in Accabonac Harbor that continue to be hot spots for mosquito larvae. John Aldred suggested that a next step may be to start looking into marsh remediation projects in some of these mosquito breeding areas.

Susan McGraw Keber is the Trustees' liaison with the Accabonac Protection Committee. The APC is presenting an event entitled "A Forum on Ticks: Facts, Fictions & the Unknowns" on Monday August 20, 2018 at Ashwagh Hall. Refreshments at 5:30pm, Panel at 6pm and Q & A at 7pm.

Dell Cullum read a letter he wrote to the Board regarding his position on trash cans on the beaches. He asked the Boards support in having Chris Carillo, Trustee Attorney write a letter to the Village asking them to remove the cans from the beaches. A motion was made by Dell Cullum for the Trustees to have their Attorney send a letter to the Village of East Hampton asking them to remove the trash cans from the beaches. The motion was seconded by Susan Vorpahl. Susan McGraw Keber voted in favor of sending the letter. A conversation then took place among the Trustees. Rick Drew said it would be a good idea to investigate if the Village ever asked for Trustee permission to put the cans on the beach in the first place. Rick Drew suggested they gather more information before they have the Trustee Attorney send a letter.

Susan McGraw Keber and John Aldred hosted a Trustee Table at the annual Ashwagh Hall Fisherman's Fair last Saturday. Although it was raining for part of the day, young and old got to enjoy the interactive display from the East Hampton Shellfish Hatchery, courtesy of Director, John "Barley" Dunne - set up and delivered by John Aldred. Balloon Fish t-shirts were designed from Susan McGraw Keber's Balloon Fish artwork made from the debris and remnants of balloons she found in our town. They were offered for sale at the fair. All monies collected from the t-shirt sales went directly to the Trustee's Captain Rysam Scholarship Fund. The Balloon Fish t-shirts are also available for purchase at the Trustee office and at the upcoming Trustees Largest Clam Contest.

Susan Vorpahl and Chris Carillo met last week to discuss the various Trustee Road issues that may require legal action. Susan Vorpahl and Dell Cullum have been cataloging and investigating each issue as it arises. They will bring any recommendations for action to the Trustee board.

A motion was made by Bill Taylor to pay the following bills: a) Edson International - \$149.50 (pump-out boat parts); b) North Fork Water Supply - \$12.00; c) Optimum - \$167.55; d) Seacoast Enterprises - \$1080.60 (pump-out boat); e) Star Island Yacht Club - \$849.09

(pump-out boat). The motion was seconded by Dell Cullum and unanimously approved.

The minutes of July 23, 2018 were tabled until the meeting of August 27, to give the Trustees time to review them.

A motion was made by Brian Byrnes to approve the financials ending June 30, 2018. The motion was seconded by Bill Taylor and unanimously approved.

A motion was made by Brian Byrnes to table the financials ending July 31, 2018. The motion was seconded by Bill Taylor and unanimously approved.

A letter was received from Lori Schultz regarding trash cans on the beaches. Francis Bock read her letter into the meeting record.

A motion was made by Bill Taylor to close the meeting at approximately 9:50pm. The motion was seconded by Dell Cullum and unanimously approved.