



MEETING OF SEPTEMBER 24, 2018
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Present: Rick Drew, Deputy Clerk
Bill Taylor, Deputy Clerk
Brian Byrnes
John Aldred
Jim Grimes
Susan McGraw Keber
Susan Vorpahl

Absent: Francis Bock
Dell Cullum

Also Present: Christopher Carillo, Trustee Attorney
Arlene Tesar, Trustee Secretary
Drew Bennett
Jim Harris
Steve Boerner
Robert Kold
Charles Bowman
Billy Mack
Laurie Wiltshire
Pamela Mahoney
David Gruber
Rona Klopman

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

Rick Drew, Deputy Clerk filled in for Francis Bock who was absent. Mr. Drew asked that a roll call be taken. All Trustees were present except Mr. Bock and Mr. Cullum.

Drew Bennett addressed the Board on behalf of the Town of East Hampton. The Town is requesting to break apart and then rebuild the east and west breakwaters at the entrance to Three Mile Harbor. A motion was made by Mr. Aldred to approve the application to disassemble and then rebuild the existing Three Mile Harbor Breakwater. The motion was seconded by Mr. Taylor and unanimously approved.

Jim Harris addressed the Board regarding his application for coir log placement at the Rifkind property at 3 Eel Cove. A motion was made by Mr. Grimes to approve the application of Robert Rifkind subject to Mr. Harris meeting with Mr. Grimes at the Trustee office Wednesday, September 26th, to provide a more detailed drawing of the proposed project. The motion was seconded by Mr. Aldred and unanimously approved.

Steve Boerner presented a proposal to the Board to do a forensic title search of Cartwright Island and to try to determine who has the right to the foreshore of said island. A motion was made by Mr. Grimes to approve the proposal submitted by Steve Boerner to conduct a forensic, comprehensive title investigation into the ownership of Cartwright or Ram Island, adjoining Gardiner's Island to the north for \$2000.00. The motion was seconded by Mr. Taylor and unanimously approved.

Robert Kold, owner of 31 Isle of Wight Road, addressed the Board regarding his application for bulkhead replacement. Mr. Kold presented the Committee with a letter from Costello Marine Contracting stating the bulkhead was to be replaced in exactly the same dimensions as it currently is. Mr. Kold isn't planning to raise the height or expand the size of his bulkhead. A motion was made by Mr. Grimes to approve the application to re-construct the bulkhead with the standard conditions. The motion was seconded by Ms. McGraw Keber and unanimously approved.

Chuck Bowman of Land Use addressed the Board regarding the application of Skylight East, LLC at 94 Apaquogue Road for phragmite excavation. He also submitted an updated project plan. The Ponds Committee will review the changes and keep an open dialog with Mr. Bowman, regarding this project. Mr. Bowman goes before the Village ZBA on October 12th. Mr. Grimes will attend that meeting. Mr. Bowman hopes to have a plan acceptable to the ZBA and the Trustees by October 12th.

Chuck Bowman of Land Use discussed the application of My Wife Really Likes It at One Association Road in Wainscott for phragmite management. Mr. Grimes and Brian Frank from the Planning Department have met at the property to review the project. Mr. Bowman's client is offering to relocate a septic system which is close to the Georgica Pond further upland on the property and to plant a woody vegetation in the buffer zone; the size of which is being determined.

Billy Mack of First Coastal Corporation is representing two adjacent properties for bulkhead reconstruction. The properties are 115 Water's Edge owned by Robert Savage and 125 Waters Edge owned by Neil Simpkins. Mr. Mack will be meeting with Susan McGraw Keber and Susan Vorpahl of the Accabonac/Hog Creek Committee on Friday.

Billy Mack addressed the Board on behalf of 153 Mulford Associates LLC, owners of 153 Mulford Lane for a rock revetment. The property already has permits from the DEC and ZBA. This property is in need of immediate attention. The Board called Laurie Wiltshire to the podium as she believes the Trustees have no jurisdiction over the properties on the south side of Mulford Lane. She agreed to present evidence of this to the Board as soon as her attorney advises her to. The application of 153 Mulford Lane was tabled until the next meeting.

Laurie Wiltshire of Land Planning Services addressed the board regarding the application of Floken Inc., owner of 17 Georgica Association Road for bulkhead, dock and platform reconstruction. The pre-existing bulkhead, dock and platform suffered severe

damage during Superstorm Sandy. Ms. Wiltshire said that she is expecting to receive her DEC permit before the East Hampton Town permit. When she receives her DEC permit, she will submit it to the Town Trustees.

Pamela Mahoney, a resident of Wainscott, presented the Wainscott Deepwater Petition to the Board. The residents are against using Beach Lane as the landing site for the South Fork Wind Farm Export Cable as other more appropriate landing sites for the cable are available.

David Gruber addressed the Board. He is an East Hampton resident who uses the Beach Lane beach and has been recently elected one of the Democratic Committee members representing Wainscott. He shared his view about the South Fork Wind Farm with the Board.

The Accabonac/Hog Creek Committee will look into the three properties on the agenda that are before the Town ZBA and will report back to the Board if there are any issues that affect Trustee bottomland.

Rick Drew read a proposed resolution that mirrored the Town's resolution, which would allow the Trustees' Special Counsel to work with the Town Attorney, regarding the South Fork Export Cable. The Trustees decided to table this resolution to allow Chris Carillo, Esq. to reword the agreement so that it doesn't imply that the Trustees and the Town will be joint intervenors at the Article VII hearings.

Rick Drew read into the record the Public Notice that was published in the East Hampton Star seeking bids for the dredging of the southwest shoal in Georgica Pond, the excavating of the lower bottleneck of Georgica Cove and the opening of the cut of Georgica Pond. Bids will be opened at the Trustee Office on October 18, 2018 at 3 PM EST. Jim Grimes made a motion to approve the Public Notice to bidders and the bid package retroactively. The motion was seconded by Susan Vorpahl and unanimously approved.

Brian Byrnes thanked all the members of the public who contributed their time, talents and prizes for making the Largest Clam Contest event a success. Susan McGraw Keber's original design Balloon T-shirt sales were brisk as were the "Wanted Largest Clam" T-shirts. Ms. McGraw Keber thanked Lori Miller-Carr, Trustee Secretary for all her hard work organizing the event.

Brian Byrnes and Jim Grimes have been working with the Lazy Point community with goal of extending the length of the leases so that the leaseholders will be able to secure mortgages if they qualify. The Trustees will have their Attorney Chris Carillo look into the matter and also work with the leaseholders and Trustees on revising the Lazy Point Rules and Regulations.

Rick Drew said that the Roads Committee has looked into Dr. Hank's property on Six Pole Highway. Susan Vorpahl has been doing research on where Six Pole Highway runs past Dr. Hank's house.

136 Merchants Path was the first letter that Mr. Carillo sent out on Merchants Path. The owners of that property have hired Attorney Rick Whalen to represent them. Mr. Carillo will be sending out several more letters to other homeowners encroaching on Merchant's Path.

John Aldred and Brian Byrnes have visited the property owned by Gilles Loran located at 98 Squaw Road. The property is currently before the ZBA for upland variances. Upon inspection the property appears to have a homemade rock jetty. Rocks have also been placed on the bluff along the shoreline. John Aldred did a presentation showing the property from current and historical aerial photographs over the years.

A motion was made by Jim Grimes to pay the following bills: a) Ready Fresh - \$69.88; b) Riverhead Building Supplies - \$668.17; c) Staples - \$19.03; d) New York State Insurance Fund - \$350.08; e) One Beacon Insurance Group - \$6,150.00; f) One Beacon Insurance Group - \$3,300.00. The motion was seconded by Susan McGraw Keber and unanimously approved.

A motion was made by John Aldred to approve the minutes of September 10, 2018. The motion was seconded by Jim Grimes and unanimously approved.

A motion was made by Brian Byrnes to approve the financials ended August 31, 2018. The motion was seconded by Susan McGraw Keber and unanimously approved.

Brian Byrnes said several member of the community have asked him when the Trustees Plan to dredge the opening of Fresh Pond to Gardiner's Bay. Jim Grimes said he would go through the file at the office on Wednesday and begin the process of applying for the necessary permits. The Trustees will plan to open Fresh Pond in the spring, assuming they have all their permits in order.

John Aldred received a call from Douglas Lester asking the Trustees to give them notice before they open the Georgica Gut to the ocean. They will need time to remove their fish and eel traps. John Aldred said, Douglas and Richard Lester also asked if they could weigh in on the timing of the opening of the pond. Mr. Grimes and Mr. Drew both thought that would be a good idea.

A motion was made by Brian Byrnes to close the meeting at approximately 8:40pm. The motion was seconded by Susan McGraw Keber and unanimously approved.