



**MEETING OF SEPTEMBER 23, 2019**  
**OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY**  
**OF THE TOWN OF EAST HAMPTON**

Present: Francis J. Bock, Trustee Clerk  
James C. Grimes, Deputy Clerk  
William F. Taylor, Deputy Clerk  
John Aldred  
Rick Drew  
Susan McGraw Keber  
Susan Vorpahl

Absent: Brian Byrnes  
Dell Cullum

Also Present: Christopher Carillo, Trustee Attorney  
Arlene Tesar, Trustee Secretary  
Christopher Walsh  
Mike Wright  
Sid Bye  
Scott Dobriner  
Eric Brown  
James Walker  
Mark Mendelman  
Ira Baracos  
Laurie Wiltshire

The meeting was opened with the pledge of allegiance at approximately 6:30 pm. All the Trustees were present except Brian Byrnes and Dell Cullum.

Susan Vorpahl presented a Certificate of Appreciation to Sidney Bye, Montauk Pump out Boat operator, for many years. Sidney Bye retired in early June, after training a replacement. Susan read the resolution honoring Sidney Bye into the record. All of the Trustees thanked Captain Bye for his valuable service.

Scott Dobriner, from Inter-Science Research Associates and Eric Brown, partner in the law firm of Ackerman Partners, presented a detailed overview of the application of Sasha Bikoff, owner of 335 Kings Point Road, SCTM # 300- 24-1-14. The proposed project has multiple steps involved in bringing the bluff area, staircase and the deck together in a manner

that conforms to the current Town guidelines. Bill Taylor, Susan McGraw Keber and Susan Vorpahl had met with the agent at the property last week. Bill Taylor and Susan McGraw Keber asked the Board if they were ready to vote on the application, as the project addresses all the issues that are important to maintaining and restoring the health of the bluff. Rick Drew asked if the Board could wait until the next meeting to vote on the project so that he would have a chance to inspect the property. Jim Grimes said he would like to recuse himself from commenting or voting on this project, because his firm will be involved in the work being done on this property. This application was tabled until the meeting on October 18, 2019.

Carol Buda said she has already gone to the Town Council regarding putting additional regulations on waterfowl hunting. She said the Town Council said the Trustees are in charge of regulating hunting in East Hampton. Rick Drew confirmed what she said, saying the Dongan Patent gives the Trustees the power to oversee hunting in East Hampton. Carol Buda went over the recent history of certain bans on hunting and read into the Trustee Record a newsletter written to hunters from the DEC suggesting guidelines hunters can follow to get along better with residents in the areas where they hunt.

James Walker from Inter-Science Research Associates, addressed the Board regarding the applications of Zee I, LLC and Zon II, LLC, owners of 19 and 23 Chauncey Close, SCTM # 301-15-1-6 and SCTM # 301-15-1-5 for a wetlands restoration project. This property consists of two separate lots, both fronting on Georgica Pond. The parcel without a home on it, to the west, also has a good size fresh water pond, which is being choked with phragmite and other non-native invasive species. Jim Grimes told the Trustees, that this is the former Tiedemann property. Prior to the property being subdivided, this was the Chauncey Farm, managed as a gentleman's farm with livestock grazing, which helped keep the invasive species in check. This application was tabled until a future date.

Mark Mendelman presented a letter to the Board, responding to the Boards comments to his first letter. Mr. Mendelman read his second letter into the record.

Ira Barocas, a homeowner on Babes Lane, addressed the Board with multiple questions about past actions of the EH Shellfish Hatchery and his opposition to the new proposed Shellfish Hatchery at the corner of Babes Lane and Gann Road.

Laurie Wiltshire, from Land Planning Services, addressed the Board about the application of Gray, owner of 17 Terbell Lane, SCTM # 301-13-10-3, to rebuild a pre-existing dock. Documentation from the Village of East Hampton was presented saying the homeowner was issued permission in 2004 to rebuild a pre-existing dock. Jim Grimes said, the question is, was the dock existing in 1984 when then Trustees ban on the construction of new docks went into effect. This matter was tabled until a future meeting to give the applicant time to find documentation that this dock was in existence in 1984.

Laurie Wiltshire from Land Planning Services, also represents Perella, owner of 43 Terbell Lane, SCTM# 301-13-10-5, who was issued Trustee Permit HP-1-18, for coir log installation. A motion was made by Jim Grimes to close out this permit. Rick Drew said he would like to view this project prior to voting to close out the permit.

An application was received from the Creeks, 249, 253 and 291 Montauk Highway, SCTM #'s 301-6-1-9, 301-7-3-2 & 3, for phragmite management. Jim Grimes and Rick Drew said the last time they were down at the property was four years ago. At the time none of the

revegetation work had been done. Jim and Rick plan to meet with Billy Hajek, advisor to the Village of East Hampton and Inter-Science Research Associates, Inc. at the property to inspect the new plantings and to make sure the phragmite cutting is being done within the confines of the previously issued permits. This application was tabled until the Ponds Committee has a chance to view the property.

Jim Grimes reported that a meeting was held at the Trustee Office last Wednesday to discuss the possibility of opening the east inlet at Napeague Harbor. In attendance were Drew Bennett, Kim Shaw, Rick Drew, John Aldred and George Eldi. Rick Drew said it was a good meeting and he feels the meeting got things moving in the right direction.

John Aldred said the Peconic Estuary Program is looking for recommendations of projects they should prioritize in the upcoming years. John said the project of opening the east inlet, might be a good project to bring to them. He pointed out, the Peconic Estuary Program has already done work in Napeague Harbor in the past. The deadline to submit new projects is October 1, 2019.

Rick Drew meet with Fred Thiele and Bridget Fleming, to explore working together with the East Hampton Town Trustees, to do environmental dredging at Little Northwest Creek. In addition to that, the Trustees suggested, setting up of a management plan for the area. Tomorrow there will be a small meeting in a conference room at Sag Harbor Village Hall to discuss this matter. In attendance will be Mayor Kathleen Mulcahy, Bridget Fleming, Rick Drew, Jim Grimes, Will Sharp, John Parker and members of the three Homeowner's Associations whose beach has been effected by the shoaling and erosion taking place due to the lack of a management plan to handle the flow of Little Northwest Creek. There may be one or two additional members of the public in attendance also. This core group will become the steering committee for this project. Rick Drew told John Aldred this could be another project to recommend to the Peconic Estuary Program as the beach is badly eroded and the creek is badly shoaled.

Susan McGraw Keber said on October 3, 2019, a group of East Hampton Middle School Students will be participating in this year's seeding of Three Mile Harbor. John "Barley" Dunne of the East Hampton Town Shellfish Hatchery organized the outing. Also participating, in addition to Susan, will be John Aldred, John Ryan Jr., Gina Bradley and other parents and teachers from the Middle School.

Rick Drew reported, that regarding Clearwater Beach Property Owners Association, the Harbor Management Committee has been meeting with members of the CBPOA to discuss the dredge spoil issue. Until this issue is resolved the Trustees are holding off closing out of the 2018 dredging permit and the issuance of 2019 CBPOA dredging permit.

John Nicholas, owner of the Sunset Cove Marina, has an application into the DEC and the Town Trustees to operate a private shellfish hatchery on the bottomland in front of his marina. The waters in front of his marina are currently closed to shell fishing. John Aldred, member of the Aquaculture Committee is assisting John Nicholas with the process of opening an area to shell fishing, which includes weekly water sampling and maintaining a rain gauge among other things.

A motion was made by Jim Grimes to grant permission to Billy Mack of First Coastal Corporation to do maintenance work repairing the dune restoration work that was done last

Spring and has been damaged this Fall, replenishing the sand and replanting the beach grass as needed on three permitted dune restoration projects that were done last Spring on the following properties; 101 Lily Pond Lane, 171 Lily Pond Lane and 11 West End Road. The motion was seconded by Rick Drew and unanimously approved.

Susan McGraw Keber will be taking a table at the East Hampton Chamber of Commerce Fall Festival. She invited the other Trustees and the public to attend.

Susan McGraw Keber is reaching out to the schools to schedule upcoming visits. Susan suggested organizing a poster contest for the upcoming school year. She asked the Trustees if they liked the idea. The Trustees all thought it was a good idea. Susan will work on putting together guidelines for the Poster Contest.

The Trustees 29<sup>th</sup> Largest Clam Contest will be held at the Trustee office on Sunday October 13, 2019. There will be prizes for the Largest Clam from each harbor and a clam chowder contest. Clam chowder and clams on the half shells will be served, at no charge, to the public. The Potter- Tekulsky Band will provide the entertainment. Susan Vorpahl will put together a presentation in the Trustee Office honoring her dad, Stuart Vorpahl, bay man and former Trustee Clerk. Jim Grimes will be providing entertainment for the children and Balloon Fish items and Clam Contest T-shirts will be offered for sale.

Regarding the Town's application to replace part of the bulkhead at the Town Dock, at Three Mile Harbor, Hog Creek Road John Aldred said the original plan from the Town made no mention of a retrofitting plan to deal with storm water runoff. John would like to see a plan to filter out pollutants from the storm and ground water before it drains into Three Mile Harbor. Suffolk County Department of Public Works has a plan to rebuild Three Mile Harbor Hog Creek Road, beginning in 2021. Rather than wait until 2021, John Aldred would like to see the Town put in some protections now, while they are doing the bulkhead replacement, to filter the water draining into Three Mile Harbor. A meeting at the property, with the Suffolk County Department of Public Works, and including John Aldred, Kim Shaw, Melissa Winslow and Jim Bennett, representing various town interests, was held to discuss the road drainage situation. The Town already has funding in place for a rain garden project which could be done at this location. This will filter the majority of the storm water before it reaches Three Mile Harbor. A standpipe will handle any overflow water. John also spoke with the Superintendent of Highways, Steven Lynch. He will have his crews clean out the catch basins as often and to the greatest extent possible part of the is approach. A motion was made by John Aldred to approve the Town's application for bulkhead replacement with conditions attached. The motion was seconded by Jim Grimes and unanimously approved.

A motion was made by Jim Grimes to pay the following bills: a) Ready Refresh - \$55.31 b) East Hampton Marina - \$11,722.71 (new engine and installation of engine on the TMH boat); c) Staples - \$108.46; d) Montauk Printing - \$70.61; e) Workman's Compensation deductible - \$1000.00; f) New York State Insurance Fund - \$154.34. The motion was seconded by Susan McGraw Keber and unanimously approved.

A motion was made by Susan McGraw Keber to approve the minutes of August 26, 2019. The motion was seconded by John Aldred and unanimously approved.

A motion was made by John Aldred to approve the financial report for the month ended August 31, 2019. The motion was seconded by Susan McGraw Keber and unanimously approved.

Richard Lester spoke to John Aldred about a memorial rock dedicated to Tom Lester. It was originally placed in Lazy Point by the dunes. It is currently covered with water. Tom Lester actually fished out of Northwest Creek and Three Mile Harbor, not Napeague Harbor. Further discussion with the family and other fisherman was planned.

Francis Bock presented the Trustees 2018 audit, done by Nawrocki Smith, to the Board. Francis asked the Board if anyone was ready to make a motion to accept the audit. The Trustees requested additional time to review the audit. This matter was tabled until a future meeting.

A motion was made by Susan McGraw Keber to close the meeting at approximately 9:04 pm. The motion was seconded by John Aldred and unanimously approved.