



MEETING OF FEBRUARY 22, 2021
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON – HELD REMOTELY VIA ZOOM

Present: Francis J. Bock, Trustee Clerk
James C. Grimes, Deputy Clerk
William F. Taylor, Deputy Clerk
John Aldred
Ben Dollinger
Rick Drew
Jim Grimes
Mike Martinsen
Susan McGraw-Keber

Absent: Tim Garneau

Present: Arlene Tesar, Trustee Secretary
Alyson Follenius, Trustee Secretary
Catherine and Chris Boak

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

The Clerk requested Roll Call: All Trustees were present at roll call except Jim Grimes and Tim Garneau. Jim Grimes arrived late at 6:35 p.m. Attorney Chris Carillo was not present.

The Clerk transitioned to Public Comment:

Catherine and Chris Boak approached the Board to discuss the condition of Shore Rd in Lazy Point. Homeowners along Shore Rd. must traverse the Trustee portion of the road to access their homes. Over the last several years the road has been eroding and there is a perpetual puddle on the road. Erosion increases during each rain storm and the puddle cannot drain. Additionally, it has begun to erode the adjacent dune and Trustee property on the other side. There are three to four residents living full time on the road with most of them being senior citizens. The Boaks are requesting the Trustees help in filling/covering the hole. Jim Grimes will gather pricing information for what costs would be to fix this portion of the road.

John Aldred addressed the matter of a bluff restoration permit renewal for 60 Hedges Banks Rd. Billy Mack was going to join the meeting but was not present. Aldred asked if he needed to be present for the Board to vote on the renewal

request. Aldred summarized the issue and shared Mack is requesting a renewal of an already approved permit (from two years ago). The Board gave granted a renewal last year but the work was not done. Nothing has changed with regard to the planned work, including materials to be used and Mack has submitted the request for an extension to the Natural Resources Special Permit. The work was held up due to COVID this past year and the first year it seems as though it was a matter of not getting everything together to begin the work. John Aldred made a motion to grant a renewal of the permit for the Bluff Restoration project at 60 Hedges Banks Rd. Susan McGraw-Keber seconded the motion and it was unanimously approved. The permit will be conditioned upon Mack providing the Trustees with 48 hours-notice before commencement of the work. This will be included in a cover letter sent along with the permit in addition to an added reminder that only bio-degradable mesh may be used.

In an effort to keep on similar matters, the Clerk transitioned the discussion to other matters concerning Hedges Banks Rd. The Trustees are receiving notifications via phone and email showing plastic debris on the beach which seems to be originating from failed bluff restoration projects. There seems to be more washing up all the time. The discussion included trying to understand where the debris may have originated from and sharing the town code requires biodegradable mesh to be used in these projects. Trustee conversations with the planning department have suggested there may be some issues with contractors failing to notify the planning department before commencing the work, thus the planning department does not get the opportunity to visit the site to inspect and ensure appropriate materials are being used. Alternate opinions to this were stated suggesting there are always ways to figure this out as materials tend to either be left over or showing through on the work site. Aldred has communicated with the Parks Department to discuss working with them to clean up the debris. The department has been responsive and is working on fitting it into their schedule. Some discussion ensued with other Board members offering to help with trucks, but the job seems too large of scale to go down with just one truck. John Aldred and Francis Bock met with Kim Shaw of the Natural Resources department. John Jilnicki and Bock had a follow up conversation with Councilman David Lys to discuss tightening up the Bluff restoration process and permitting.

The Clerk transitioned to the New Business portion of the meeting:

Joel Halsey submitted an application to legalize the replacement of the boat basin walkway at 18 Isle of Wight Rd, SCTM # 300-37-2-6. Halsey is not prepared to present to the Board. Rick Drew visited the property and had a detailed conversation with the homeowner and Halsey (via phone). The basin is a horseshoe shape with top decking and vinyl siding. There was never an application for the basin and it was redone in 2018 but it is unclear exactly what was there prior to that. Halsey is researching and gathering more paperwork/information. Drew shared photos he took on site with the office so the committee can access. It was also acknowledged that the Trustees are seeing an increase in requests for retroactive approval of projects which have already been completed but had never applied for permits initially. The Trustees do not have the ability to fine homeowners so the next step may be forming a committee to discuss how to prevent this from happening in the future. This particular case seems to be an instance of the contractor inheriting the project. The homeowner had received a DEC permit but did not realize other permits/permissions were needed. There may be an impending sale on the property which brought the matter to the table. This matter is the second such request in the last month.

The Clerk transitioned to the Old Business portion of the meeting:

John Aldred presented the updated list of requirements for the kayak storage program, creating Stand Up Paddleboard racks and offering second moorings and prioritizing commercial applicants. The rules/points pertaining to the kayak racks, if adopted, will be included as part of the kayak storage permit application package. Aldred read through the points/rules:

- Kayaks must be stored on the rack upside down and secured to the rack with a locked strap and recommended it be strapped down with bungee cords as well.
- The weight limit on any kayak on any rack is 75 lbs.
- The owner's name and contact information must be written on the boat in the cockpit or clearly visible.
- The kayaks must be removed from the racks by November 15th each year.
- The placement of the three racks which were moved for the dredging of Accabonac Harbor needs to be decided. One possible location is south of the Launch ramp as suggested by the Nature Preserve Committee (NPC). Several board members felt that location would increase the likelihood of vandalism or theft. There was more conversation about the management plan which was adopted by the Nature Preserve Committee (NPC) which essentially does not allow racks but they are amenable to having them on the southside of the launch ramp. The options on the table to play the racks are on some portion of the beach, at the location presented by the NPC. *This point was tabled until the next meeting to allow the Board to come up with possible locations for the re-placement of the racks.*
- Should the Board build storage racks for Stand Up Paddleboards (SUPs)? The discussion included conversation around possible designs and materials for such racks. Several board members expressed concern about PVC and suggested wood will maintain the overall aesthetic that is woven throughout East Hampton. Additional discussion went to the timelines for approval from the NPC and the Town Board should the Board decide to create SUP racks as well.
- There have been several requests by mooring permit holders for a second mooring. Currently, only one mooring is allowed per person per harbor. The question was raised whether the Board would like to approve granting a second mooring in the form of a pull mooring for permittees who also hold an offshore mooring. This would be a means of allowing a tender to access the offshore mooring. The second concern is whether a commercial fisherman be given priority over a recreational applicant if there is a wait list. Essentially, allowing the commercial fisherman priority without being on the waiting list.

John Aldred made a motion to accept and adopt these points, except for the placement of the kayak racks and provide the guidance to the Trustee office. Jim Grimes seconded the motion and was unanimously approved.

After the vote, Mike Martinsen suggested offering the build of the racks up to the Boy Scouts or youth groups to design and create a rack with a natural look. Susan McGraw-Keber suggest the Girl Scouts be invited to design as well. There was a brief conversation about this, but the Board ultimately decided the timeline for this would not work for this year but it was a great idea to consider for next year.

The Clerk transitioned to Committee Reports:

The Clearwater Beach Property Owner's Association (CBPOA) 2020 Dredging project was discussed. Jim Grimes visited the site post dredge to measure the spoil piles. The resulting yardage was 752.3 yds and settled on 750 yards. CBPOA was invoiced for the 750 yards and were in agreement with the yardage. With regard to contributions from the Lion Head Beach Homeowner's Association contributions, they two associations will be handling that among themselves. There are several projects between Lion's Head and Clearwater Beach which will need sand. The sand will be stockpiled and saved to be used for the projects right in the community.

While on the topic of Harbor Management, Susan McGraw-Keber requested someone draft copy about the Harbor Management Committee for the new website. Rick Drew will write the copy.

The Board is tentatively receiving the funding for the second pump-out boat and is awaiting the written approval. Jim Grimes asked if the Board was willing to vote on the second pump-out boat contingent upon receiving the funding. Bill Taylor made a motion to approve the purchase of the second pump-out boat conditioned upon receiving the funding. Susan McGraw-Keber seconded the motion. A question was asked about if the funding was in fact coming. Clarification

was offered stating a verbal commitment for funding was offered and the Board is waiting on the written hard copy of the approval. This funding will cover \$65,000 leaving a balance of approximately \$48,000. The Board agreed to approve the spending up to \$50,000 to cover the balance of the second boat after the grant funding. In the past, the pumps have been getting repairs on an as needed basis. The goal would be to get the boats/pumps to just have to do preventative maintenance during the off-season months. The committee may come back to the Board during the next meeting to request the purchase of a back up pump in addition to sending out one of the pumps for the Three Mile Harbor boat to get rebuilt by the company. The motion on the table was to approve the purchase of the second boat contingent upon the approval of the funding, Bill Taylor offered the motion and Susan McGraw-Keber seconded it. The motion was passed and carried unanimously. The new pump would cost approximately \$6,000.

The Deputy Clerk transitioned to the Administrative portion of the meeting:

The following bills need to be paid: Staples - \$357.12 for (2) APC battery back up for office computers; Marine Boat Builders - \$54,285.36 balance of the new boat payment due on delivery. Jim Grimes made a motion to pay the bills. Susan McGraw-Keber seconded the motion and it was unanimously approved.

The minutes from the January 25, 2021 meeting are complete and ready for approval. Susan McGraw-Keber reviewed them. John Aldred made a motion to approve the Jan. 25, 2021 minutes. Rick Drew seconded the motion and it was unanimously approved. The minutes from the February 8, 2021 meeting were complete and ready for approval. John Aldred and Susan McGraw-Keber reviewed the minutes. John Aldred made a motion to accept the February 8, 2021 minutes. Susan McGraw-Keber seconded the motion and it was unanimously approved.

The Financial reports for the Month ending January 31, 2021 was tabled until the next meeting.

Additional comments/updates:

Payment was received for the transportation of the dredged sand at Louse Point to the southern portions of the beach on the Gardiner's Bay side.

The Board received a letter of engagement from HodgsonRuss, LLP for the election law change work. It is similar to the previous letter of engagement the Board had with the firm and it will be sent around to the Board. The firm is not asking for a retainer. Jim Grimes made a motion to accept the proposal from HodgsonRuss, LLP. The election law committee had several conversations with Dan Spitzer and due to Trustee history, the Board will have to go the State Legislature to speak with Fred Thiele. Susan McGraw-Keber seconded the motion and it was unanimously approved.

Susan McGraw-Keber took a moment to remind the Board members to submit their written copy for the new website. Jim Grimes added the website still has the old sand fencing law. It needs to be updated and a copy will be sent to Billy Hajack in the village.

Rick Drew made a motion to close the meeting. Susan McGraw-Keber seconded the motion and it was unanimously approved.

The meeting closed at 7:39 p.m.