



MEETING OF FEBRUARY 8, 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
William F. Taylor, Deputy Clerk
John Aldred
Rick Drew
Tim Garneau
Mike Martinsen

Absent: Ben Dollinger
Jim Grimes
Susan McGraw

Present: Christopher A. Carillo, Trustee Attorney
Dan Spitzer, Trustee Counsel
Mila Buckner, Trustee Counsel
Arlene Tesar, Trustee Secretary
Alyson Follenius, Trustee Secretary
Eric Brown, Esq Ackerman, O’Brian, Pachman & Brown, LLP
Billy Mack, First Coastal Corp.

The meeting was opened with the Pledge of Allegiance at approximately 6:33 p.m.

The Clerk called for a Roll Call: All Trustees were present except Ben Dollinger, Jim Grimes and Susan McGraw-Keber.

The Clerk transitioned to Public Comment:

Jim Walker, of the Devon Yacht Club called into the Board meeting regarding the yacht club’s permit application for jetty reconstruction. Walker requested a renewal of the permit. He has submitted the application and application fee to the office. Rick Drew made a motion to approve the renewal of the permit. Bill Taylor seconded the motion and it was unanimously approved.

Mark Mendelman from Seacoast Enterprises called in to the meeting to request to add a seventh mooring to the Transient Moorings they manage in Three Mile Harbor. Mendelman shared they saw an increase in boaters using the overnight moorings and would like to add the seventh to accommodate the growth they saw in 2020, likely due to COVID. Seacoast

Enterprises had 274 nights of occupancy on the moorings and would like to request spot number 74. The Transient Mooring application renewal was sent in. Rick Drew recused himself from any voting as he is an employee of Seacoast Enterprises. The program is on a 5-year permit. John Aldred made a motion to continue the second year of the program and add a seventh mooring. Bill Taylor seconded the motion and it was unanimously approved.

Eric Brown, Esq approached the Board regarding his client's request for a permit modification to Trustee Permit GP #4-20 for phragmite management at 24 West End Rd on Georgica Pond. The applicant is seeking permission to install a temporary wildlife fence around new plantings in an effort to allow the plantings to take hold without the disturbance of the wildlife. Jim Grimes created the design and will recuse himself from voting on the matter. The matter was tabled at the previous meeting to allow time for the committee to review the request. Rick Drew commented the buffers are an important piece of phragmite management plans on the pond. The fence would be removed by April 1, 2021. Rick Drew made a motion to approve the permit modifications as the management plan is solid and in line with the Village recommendations. John Aldred seconded the motion and it was unanimously approved.

Billy Mack approached the board requesting the Board close out the Bulkhead permit issued to 115 -123 Waters Road. Rick Drew joined Mack on site to review the project. The bulkhead construction was completed, the bluff, landward of the bulkhead was stabilized with new beach grass. Rick Drew shared he enjoyed the visit, saw the bulkhead was constructed to match neighboring bulkhead and the beachgrass was planted landward of the bulkhead. A question was raised as to whether the bluff restoration as part of the permit. It was confirmed the permit was for the bulkhead construction but Mack shared they included the planting of native plants landward of the bulkhead as part of the application. There was a brief discussion about project in which Mack also shared biodegradable core matting, made of coconut, was used to immediately stabilize the bluff from rain. The beachgrasses were then planted through the matting. Rick Drew made a motion to approve closing the permit. John Aldred seconded the motion and it was unanimously approved.

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

John Aldred updated the board from the Harbor Management Committee plus Tim Garneau regarding Kayak Rack rules and regulations. The committee provided suggestions for the board to consider. The suggestions included requiring kayakers are placed upside down, strapped and locked to the rack, allowing up to 75 lb weight limit which will include most recreational single and double kayakers and requiring the owner's name be written on the vessel. The committee also discussed the possibility of building racks for stand up paddleboards on a trial basis. The board had a brief conversation which included the Nature Preservation committee's suggestion to move the Louse Point racks which were taken down due to the channel dredging to the Nature Preserve Parcel adjacent to the parking lot across from the launch ramp. Additional conversation ensued around putting the racks on Landing Lane on a trial basis. Additional recommendations included extending the date with which the kayakers must be removed from the racks for the season from November 15th to December 1st. Board members have noticed permit holders using their boats later into the season. The committee will share the recommendations with the remaining members of the board and will come back again at the next meeting. Additionally, the committee will come up with a few paddleboard rack designs to present to the board. The committee also discussed some questions which arose around mooring applicants. One of the main questions was whether to prioritize commercial mooring permit applicants over recreational mooring applicants on a waitlist. The second issue discussed was whether to allow a second mooring for a person in the same harbor if the second mooring is a pull mooring for a tender/dingy.

The Clerk transitioned to Old Business:

The clerk brought the matter of the court decision with regard to "Truck Beach" to the table. Attorney Chris Carillo reiterated the Trustees are in favor of beach access rights and defending ownership to the beach. There is more research

to do and there more to discuss among the board as a whole. Carillo confirmed for the community this decision is not the end of the line and the Trustees will continue to fight. There was a request for an executive session in the near future. The board is scheduling an executive session. The clerk also reiterated the Board will press on with this matter and will do everything in their power to ensure the community continues to have access to this beach.

The Clerk transitioned to Committee Reports:

Rick Drew continued the discussion around Town Line road. Drew has been in conversation with a Southampton Town Trustee as they own half the road as well. Drew made a request to his fellow members of the board to allow him to pursue the aforementioned collaborations without having to come back to the board in an effort to get the project moving. The board members agreed to allow Drew to get started with these two steps. Additionally, there was commentary on updating Google and other online mapping systems such that they do not show Town Line Road as a thoroughfare. It has become a short cut for Uber/Lyft and UPS and FedEx drivers to avoid the traffic on the main roads.

Rick Drew also updated the Board with regard to Shore Road. Residents of Shore Rd have requested support/approval to fill and grade the degrading section of the road. The Board briefly discussed their ownership in the area, the portion of the road where the road is degraded and if the request was for the Trustees to repair the road or if the residents were asking for permission to perform the repair themselves. Rick Drew will have a conversation with the resident that brought this matter to the Board and will update at the next meeting.

The Clerk transitioned to Payment of the Bills:

The following bills need to be paid: Staples - \$118.38 for office supplies, Optimum - \$186.33, East Hampton Business Service - \$305.57. Bill Taylor made a motion to pay the bills. Rick Drew seconded the motion and it was unanimously approved.

The minutes for November 9, 2020 and November 23, 2020 were reviewed for approval. John Aldred made a motion to approve the Nov. 9, 2020 and the Nov. 23, 2020 minutes. Rick Drew seconded the motion and it was unanimously approved.

With regard to the Financial Report for the month ending December 31, 2020, Rick Drew had reviewed and received clarification from the office around a question he had. Rick Drew made a motion to accept the Financial Report for the month ending December 31, 2020. Tim Garneau seconded the motion and it was unanimously approved.

The Certificate of Deposit ending in 1633 is up for renewal. Bill Taylor made a motion to renew the CD ending in 1633. John Aldred seconded the motion and it was unanimously approved.

The Clerk transitioned to Report of the Clerk:

Bill Taylor updated the Board on the Committee for Staggering Election terms progress. The committee made a suggestion to move forward with Dan Spitzer's firm as the Board is familiar with Spitzer and his team. Trustee General Counsel Chris Carillo weighed in that he had received some historical information from Hugh King around the history of the Board moving from twelve trustees to nine total board members. Arlene Tesar, Trustee Secretary will share the information with the committee. Tim Garneau made a motion to hire Dan Spitzer and his firm to assist the Board in staggering election terms. Bill Taylor seconded the motion and it was unanimously approved.

Finally, John "Barley" Dunne of the Shellfish Hatchery requested \$915 for equipment. The hatchery is looking to purchase mechanical drive pumps which allow his team to set the oysters in shallow water and still provide good water

flow and submersible heaters to the algae tanks. Rick Drew made a motion to approve Barley Dunn's request for \$915 for equipment for the Shellfish Hatchery. John Aldred seconded the motion and it was unanimously approved.

Tim Garneau made a motion to close the meeting. Rick Drew seconded the motion and it was unanimously approved.

The meeting closed at 7:31 p.m.