



MEETING MINUTES OF SEPTEMBER 27, 2021
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON – HELD REMOTELY VIA ZOOM

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

Absent: Mike Martinsen

Present: Christopher A. Carillo, Trustee Attorney
Alyson Follenius, Trustee Secretary
Regina Bykoff
Rich Brierly
Jeffrey Colle

The meeting was opened with the Pledge of Allegiance at approximately 6:34 p.m.

The Clerk requested roll call: Clerk Francis Bock took roll call. All Trustees were present at roll call except Mike Martinsen.

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

Rich Brierley, of Estates by Jeffrey Colle and Regina Bykoff, of PW Grocer Consulting, Inc., approached the Board on behalf of the owners at 19 Chauncey Close, SCTM # 301-15-106 regarding temporary construction for a dewatering project in which the applicant is requesting to discharge water directly into Georgica Pond. Brierley corrected a mistake made in his earlier email request to the Board and provided clarification. Brierly clarified the DEC is interested in the opinion of the Board with regard to the project prior to making their decision. The project is for a single-family residence with part of the property boarder on Georgica Cove and a portion of on Georgica Pond. A dewatering system, designed by PW Grocer, was set up in order to build the foundation. The project is experiencing unforeseen circumstances with the groundwater level being up about Five feet and a situation with the diffusion wells and soil conditions. Essentially, the crew is not able to draw enough water down to do the construction desired. Ben Dollinger asked Brierly if the system needs to run continuously throughout the year. Brierley clarified, the current permit allows for a period of 5 months with which to work

to build the foundation, let it cure, backfill then abandon the dewatering system. Bykoff provided the site plan via a screen share. Bykoff showed the proposed house, the well points along with the sheeting that will be driven 40 ft below grade to act as a “cut-off” wall to prevent water from coming back into excavation. The site plan already included a recharge basin with which water is pumped into from the excavation into diffusion wells (located between the wetlands and the excavation site). With setback requirements they were able to fit a small one in, however, it is too small to handle the current volume needed to flow out of the excavation. Currently, the water is pumped through a settling tank then through a series of bag filters to filter the water before it reaches the diffusion wells. The system began operating in August for a few weeks. After which time, the back pressure increased alerting the team there was a problem. It was discovered that 15 feet of the screen material needed for the diffusion wells was sitting in silt & clay. Therefore, reducing the area with which the water can diffuse back into the ground causing the wells to fail. The team is proposing an alternative means of removing the water. The request is for approval to pump the water through the settling tank into a pipe which would discharge out into Georgica Pond. The discharge site would include a scour pad and turbidity curtain. Brierley added the team has had the discharge water tested during the permitting process in 2018 as per DEC requirements for a dewatering permit. A recent sample was taken from the settling tank to test levels of iron and manganese (the team thought these could be clogging the screen in the diffusion wells). The team is willing to take another water sample to analyze from the settling tank and share the data with the Board should the Board request it. The Board agreed a current water sample would be helpful. Bykoff pointed out the team would defer to the town and/or DEC for the parameters of sampling for such a request. The water essentially originates from the pond, the team would be discharging it back into the pond. The Board’s ultimate requests include receiving contact information for Ms. Chang at the DEC, Bryan McCaffrey’s contact information, Regina Bykoff will share her information and the sampling data from water sample of the settling tank. Clerk Francis Bock asked for clarification around the source of the water in the excavation site. Bykoff explained it is ground water and not coming from the general watershed to the north. The well screen is 20 feet deep. Brierley added a bit more detail stating the sheet piling forms the perimeter around the excavation forming a something like a large bathtub. Each of the 150 well points around the perimeter are about 1.5 inches in diameter and draw the water up into a manifold at the top. The water is then pumped into the 18,000-gallon settling tank. The water is then pumped through the bag filters to the three diffusion wells. These wells are not able to handle the volume of water because of the soil conditions. Georgica Pond committee members, Ben Dollinger and Rick Drew will visit the site to meet with Brierley and Jeffrey Colle (Builder).

The Board received a new Phragmite control application for 31 Association Road – SCTM# 300-201-1-8.2. Jim Grimes noted he just received the plans for the project today and requested the Board table the matter so members of the committee are able to go for a site visit and meet with the applicants/agent to get a better understanding of the project.

The Trustees open Scallop season every year after the DEC officially opens the waters for scalloping. Clerk Francis Bock read the 2021 Scallop Resolution into record which delays the opening of East Hampton Town waters to scalloping until Nov. 7, 2021. Jim Grimes made a motion to adopt the 2021 Scallop Resolution. Bill Taylor seconded the motion and it was unanimously approved.

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

Jim Grimes updated the Board around the Bid package prepared by Engineer Drew Bennett for the dredging of Little Northwest Creek. The work will occur in December 2021. There is also a grant writing on this bid but it was agreed previously that the Board will not let the funding of the grant determine beginning the project. The Board will fund and use the reimbursement. The grant is still in the review process. Jim Grimes made a motion to notice the project in the East Hampton Star. Susan McGraw-Keber seconded the motion and it was unanimously approved.

Jim Grimes updated the Board on the opening of Georgica Gut. As per water quality data from Dr. Gobler and water levels in the pond, the opening of the Gut will occur earlier this year. The Trustees wait for favorable winds for the letting of the pond which are currently present. Grimes will email the Board members with the date and time of the let once it is confirmed.

Susan McGraw-Keber updated the Board around the 2021 Largest Clam Contest. The event will take place Sunday, Oct. 3, 2021 from 12:00 – 3:00 p.m. McGraw-Keber asked the Board members who would be in attendance and requested support for set up and clean up. There will be students from East Hampton High School volunteering to help during the event. Bill Taylor confirmed he will help meet any needs of the band. McGraw-Keber reminded the board members gift certificates or prize gifts are needed for the winners. Participants can drop off their entry clams to Peterson’s Seafood in Montauk, Gosman’s in Montauk, Amagansett Seafood in Amagansett and Stuart’s Seafood in Amagansett. WLNG was notified about the event and LTV will be there to film the event.

John Aldred spoke about the East Hampton village Centennial Celebration and Parade. Aldred, Bill Taylor, Francis Bock and Jim Grimes drove the new pump out boat and Trustee truck in the parade. The event was well attended and also had lots of participation.

Susan McGraw-Keber updated the Board about the New York State Public Assembly hearing regarding Neonicotinoid pesticides. The purpose of the hearing was to examine their impact on pollinators and the environment. The hearing was attended by many stakeholders and lobbyists alike. McGraw-Keber thanked the Board for sending the letter.

John Aldred met with contractor to get an estimate to remove dead trees on Trustee property on Georgica Pond, at the head of Three Mile Harbor and one at the Trustee office. Aldred is waiting on a revised estimate this week as the tree in front of the office was to be added. The original estimate was for \$3,500. Jim Grimes recommended the Board await the full estimate before voting.

The Clerk transitioned to Committee Reports:

Jim Grimes updated the Board on the arrival of the newest pump out boat. The boat is in the parking lot of the Trustee office building. Grimes suggested leaving the boat where it is so it is there for the Largest Clam Contest. This way the public can view it during the event. The boat was successfully sea trialed by the manufacturer in Rhode Island prior to delivery. The boat has received rave reviews during the parade and also from the pump out boat operators. Grimes thanked the Chief Harbormaster, Ed Michaels and team for their level of response when the pump at the Pump Out Station in Montauk was causing issues at the beginning of the season. Chief Michaels is working on swapping out the tank for a 5,000-gallon tank which will make the overall operation smoother. John Aldred questioned the Board on their thoughts of upgrading the winter storage situation for the three boats to minimize any damage or rust to the trailers.

John Aldred brought up a matter regarding a path over a marsh in Hamptons Waters. The Board received an email which depicts the path. The Hamptons Waters Homeowners Association has a DEC permit to build a walkway across the marsh and have asked the Trustees if they have jurisdiction and if they need a permit. The HOA has also just only approached the ZBA to apply for a Natural Resources Special Permit. There is a ditch in the marsh which may connect to the harbor. Aldred has asked the Planning Department to determine if there was a mean high-water mark in the area of the march and proposed walkway. If a mean-high-water mark exists within the area, the Trustees would have jurisdiction and a permit would be needed. Aldred will update the Board once he receives an answer from the Planning Department.

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

The following bills need to be paid: Montauk Angler's Club - \$797.87 for Yamaha engine 100-hour service; Intact Services USA LLC - \$3950.00 for Boat Insurance Excess Marine Liability; Intact Services USA LLC - \$9,061.00 for boat insurance – Hull and Machinery, Protection and Indemnity, Terrorism; East Hampton Star - \$326.00 for the Largest Clam Contest Ad. Susan McGraw-Keber made a motion to pay the bills. Rick Drew seconded the motion and it was unanimously approved.

These minutes from August 9, 2021 will be tabled until the next meeting.

The Financials for the month ended August 31, 2021 need to be approved. Rick Drew reviewed the financials and noted the Board is spending money on environmental dredging, the pump out boat, legal fees protecting public rights but is also generating revenue. Drew made a motion to approve the financials ending August 31, 2021. Susan McGraw-Keber seconded the motion and it was unanimously approved.

Francis Bock congratulated Trustee Attorney, Chris Carillo on his recent marriage. The Board members all congratulated him as well.

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

The meeting closed at 7:44 pm.