



MEETING MINUTES OF JULY 25, 2022
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Held in person at The Town of East Hampton Town Hall

Present: Francis Bock, Clerk
Jim Grimes, Deputy Clerk
Bill Taylor, Deputy Clerk
John Aldred
David Cataletto
Ben Dollinger
Tim Garneau
Susan McGraw-Keber (via Zoom)
Mike Martinsen (via Zoom)

Absent: Tim Garneau

Present: Alyson Follenius, Trustee Secretary

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

The Clerk requested roll call: Susan McGraw-Keber and Mike Martinsen attended the meeting via ZOOM. Tim Garneau and Ben Dollinger were absent at roll call. Trustee Attorney Chris Carillo clarified the need for a Quorum in order to vote on Trustee matters. Jim Grimes arrived at 6:32 pm and there was concern there would not be a quorum. Any Board member attending via Zoom may not participate unless there is a quorum physically present. Ben Dollinger arrived late at 6:38 pm.

The Clerk transitioned to Public Comment:

Brad Loewen addressed the Trustees as a commercial fisherman. Loewen shared his opinion regarding the state of Trustee waters. Loewen believes the Trustees have lost fisheries in the harbors and bays. He prefaced this with his belief that the Trustees are not doing their job. He is concerned that 25 years ago, one could shine their headlights on the waters and it would “come alive.” Loewen shared what he believed the Trustees are doing wrong. He is concerned about the Board trusting and paying experts and believes the Board needs more input from “real life” instead of the experts. Loewen continued to share his frustrations. Trustee John Aldred asked Loewen if he had suggestions for the Trustees. Jim Grimes offered insight into what the Trustees have been doing with regard to this matter. Grimes shared the problem with nitrogen is not just from one cause. It is a

cumulative effect of many factors. Grimes also shared it seems to largely be an issue of increasing water temperature. Grimes addressed that life on the East End has changed and the population dynamics have changed drastically as well. Grimes shared that everyone still has a lot to learn and find ways to adapt to the current situation. Loewen clarified he does not want to see it get worse and suggested the Trustees not talk to just one person but to many who see it in person. Grimes shared the Trustees have hired Dr. Chris Gobler to monitor water quality in their harbors so that the board can utilize scientific data when it must demonstrate a need for action such as dredging etc..

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

Trustee Clerk, Francis Bock addressed the Board regarding the proposed changes to the Town Code on Beaches. Trustee Counsel Chris Carillo commented he would like to see the town include language which describes the boundaries of "Truck Beach." There was conversation as to whether there needs to be language around the reservation clause in the Benson Deed. The board recognized they needed to discuss further with Trustee Special Counsel. The Town Board will hold a public hearing next Thursday, Aug. 4, 2022. There will be a meeting with Special Counsel this week. The Clerk asked Carillo to clarify the outcomes of the various rounds of litigation. Carillo confirmed there has not been an interpretation of the reservation under the current decision. The matter will be tabled until the Board meets with Special Counsel. The Board continued some further discussion regarding the changes and the content which discusses beach driving. The questions which arose included how Marine Patrol enforce trespassing or driving on any beach not owned by the Town of East Hampton or the Trustees.

Trustee Clerk, Francis Bock brought up the matter of the Resolution regarding the Indemnification of Trustees. Jim Grimes suggested their needs to be clarification and discussion with special counsel. Trustee Attorney Chris Carillo suggested the Board hold this until they may discuss with Special Counsel.

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

Jim Grimes updated the Board regarding a meeting with Cynthia Crain and her counsel last Thursday. Grimes summarized the meeting. Grimes stated it is clear there has been a structure in place. However, there is no clear indication when the structure was increased in size from a 4'x10' to the current 8' x 10' structure. Grimes shared the dimensions of the Structure. Francis Bock, Jim Grimes and Chris Carillo met with Crain and her counsel on her property for an inspection. It was clear the aluminum ramp was there previously and was recycled. The posts were changed from pipe to 4' x 4' wood pilings. Per the discussion on Thursday, the applicant agreed to return the float section to the original 4'x 8' dimensions. Bock clarified that the previous dock had no permits from the DEC, Natural Resources Special Permit or Building Department. Grimes continued to summarize the meeting and the agreement. Grimes shared that the Trustees have collected fees over the years for the structure and that the fees were once described as an "inspection fee." In an effort to come to an agreeable arrangement between both parties, the applicant would bring the floating section back to the originally permitted dimensions of 4'x8' and receive a Trustee permit conditional upon the applicant acquiring permits from the Town Building Department, Natural Resources Special Permit and the DEC. The Board continued their discussion. There were several varying opinions among the Board in an attempt to determine how the Board would like to proceed. Susan McGraw-Keber asked for clarification regarding whether the conditions meant the applicant must obtain the appropriate permits from the other agencies. Carillo clarified this arrangement would be conditioned upon procuring the required permits from these agencies. If the other agencies denied the applications, then the conditional Trustee permit would be void. There were several instances of back-and-forth discussion with Board

members providing their opinions on various aspects of the issue. The Board tabled the discussion for tonight and committed to taking action at the next meeting.

The Clerk transitioned to Committee Reports:

Georgica:

Request from First Coastal on Behalf of the Georgica Association, SCTM #300-200-3-17 to renew Trustee Permit Phrag #12-22. Jim Grimes met with the applicant's agent to review the work which had been done. John Aldred questioned what action had been taken regarding the incident from last winter when someone had gone in and cut outside of the permit specifications. Jim Grimes motion David Cataletto seconded the motion and it was unanimously approved.

Jim Grimes shared with the Board that there was a brush fire in Napeague which broke out on Friday night. The fire sparked back up on Saturday. Several departments responded and firefighters needed to approach the fire from running along Napeague Harbor.

Georgica Continued:

There is an application from Ackerman et al, on behalf of Traumhaus 1 LLC, 75 West End Rd, SCTM #301-15-5-11.1 to repair and rehabilitate the boathouse. Jim Grimes summarized the application and remarked that the improvements requested were to the interior. Jim Grimes made a motion to approve the application to repair and rehabilitate the boathouse located at 75 West End Rd. John Aldred seconded the motion and it was unanimously approved.

Peconic Estuary Partnership (PEP)

The PEP Local Government Committee held a meeting which discussed the various funding opportunities available. The PEP requested that the various municipalities provide three ideas for projects for funding. The various grant opportunities have varying requirements.

Aquaculture:

There was a question regarding the remaining buoys in Accabonac Harbor which were part of the Hatchery's Pilot Kelp Project. John Aldred shared there are a few buoys still out there. Aldred spoke with John "Barley" Dunne regarding the project's status. The growth of the Kelp off of Shipyard Lane was good but not great. The Kelp at the head of the harbor was not great but the Kelp spores which were on a rope, placed off a dock at Gann Road and forgotten about grew very well.

The Clerk transitioned to the administrative portion of the meeting:

Payment of the Bills: The following bills need to be paid: Optimum - \$167.12 for monthly services; Montauk Marine Basin \$1,421.08; East Hampton Marina - \$232.35 and \$232.60 for gas. Jim Grimes made a motion to pay the bills. Bill Taylor seconded the motion and it was unanimously approved.

Jim Grimes made a motion to close the meeting. Bill Taylor seconded he motion and it was unanimously approved.

The meeting closed at 8:38 pm.