



MEETING MINUTES OF FEBRUARY 27, 2023
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Present: Francis Bock, Clerk
Bill Taylor, Deputy Clerk
Jim Grimes, Deputy Clerk
John Aldred
Tim Garneau
Susan McGraw-Keber (via Zoom)

Absent: Ben Dollinger
David Cataletto
Mike Martinsen

Present: Alyson Follenius, Trustee Secretary
Chris Carillo, Trustee Counsel

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

The Clerk requested roll call. All Trustees were present at roll call except Ben Dollinger, David Cataletto and Mike Martinsen. Susan McGraw-Keber attended via Zoom.

The Clerk transitioned to Public Comment:

Tom Osborne addressed the Trustees to discuss Midland Highway. He explained a brief history of the road. The matter at hand concerns updating the correct addresses of the properties. The properties are taking access off Midland Hwy. Osborne is requesting written request to take access from Midland Hwy. One of the properties is in the process of attempting to obtain a Certificate of Occupancy. Trustee Attorney Chris Carillo explained the Trustees typically do not provide written consent for access but rather would have Osborne draft an easement and Carillo and the Board would review it. Once reviewed and approved, the easement can be recorded along with the deed with the County. There was additional discussion as to the history of Trustee Roads and whether there was drainage on Midland Hwy currently. The resolution was approved.

Sara Davison, of Friends of Georgia Pond, came before the board to provide a brief report regarding the work FOGP has accomplished throughout 2022. Davison presented a Power Point presentation with the information. Following the presentation, Jim Grimes offered the 2023 Aquatic Weed Harvester Resolution. JG made a motion to accept the resolution. Tim Garneau seconded the motion and it was unanimously approved. Davison requested the board align the timeline of the resolution with both the Town of East Hampton and DEC permit. Bill Taylor made a motion to extend the resolution for the Three-year term to align with the town and DEC permit time period.

Terry Singer was present to discuss the application she submitted to the Trustees on Friday, February 27, 2023. Singer's neighboring property was on the agenda for 60 Hedges Banks. John Aldred brought up the idea of a multi-year permit for both properties. There was a brief discussion and the Board had a few questions for Singer. Singer provided answers and clarification. John Aldred made a motion to approve a permit extension request for 58 Hedges Banks to terminate with their DEC permit. Jim Grimes seconded the motion and it was unanimously approved. John Aldred made a motion to approve the request made by First Coastal on behalf of Jerome Griffith of 60 Hedges Banks, to renew Trustee Permit T-3-22, also to coincide with and terminate with their DEC permit. Terry Singer approached the lectern to formally introduce herself for the record.

Garrett Boudinot, PhD came in front of the Board to present a current project he is working on at the Town Hatchery location on Gann Road with John "Barley" Dunne. The project is titled, "Basalt Powder to Reduce Acidification and Remove Carbon Dioxide." Boudinot, presented information via a Power Point presentation. Boudinot described the functionality of the current system developed by his company Vycarb, Inc. Essentially, Boudinot will be testing the efficacy and viability of the system at the Shellfish location on Gann Road. Boudinot will take a three-tiered approach to test the technology. The first will be to test the technology alone in the lab in Southampton. The second approach will to do controlled testing with the basalt powder in the lab. The final tier will be autonomous deployment for long-term monitoring in Three Mile Harbor at the Gann Road location with the support of Dunne. Jim Grimes requested Boudinot come back to the board with the results. This is not a project which requires Trustee approval. The Board was supportive and excited for the results.

The Clerk transitioned to Old Business:

Chris Carillo provided the board with an update regarding research into turning the Trustee Scholarship into a 501-c3 not-for-profit. Carillo consulted with Attorney Patricia Sandison, of Hodgson Russ and offered she will be a great resource should the Board choose to do so. Carillo provided a summary of the various types of not for profits. Carillo also explained that beginning a not for profit would be creating a new and separate legal entity. It would be an outside corporation with administrative overhead and tax oversight creating an administrative burden. Carillo and Sandison concluded and advised they do not believe this is the best direction for the Trustees.

Francis Bock readdressed the conversation around investing some of Trustee funds into NYCLASS Investment Pool. Bock explained the Board must pass a resolution to begin participation. Bock read and offered the resolution into record. Jim Grimes made a motion to pass and approve the resolution. John Aldred seconded the motion and it was unanimously approved. Jim Grimes questioned whether two signatures will be required for transactions. Bock confirmed two signatures will be required and everyone who has the ability to sign currently, will have permissions within this account.

The Clerk transitioned to Committee Reports:

Accabonac Harbor

Jim Grimes provided an update on the request submitted to the DEC to dredge the East Channel in Accabonac Harbor. The application has been submitted and the notification has been submitted to the East Hampton Star. Additionally, Bill Taylor provided an update that the Trustees will be asking for a permit to dredge the Culvert on Gerard Drive. The DEC will allow the board to request a permit modification to dredge. The Board had a brief conversation about the bureaucracy of getting this completed.

Beaches:

Susan McGraw-Keber showed the board a picture of the road end of Mile Hill Rd. The Trustees received a complaint as the road end is in need of sand replenishment. The board discussed that the Highway Department placed sand over the rocks last year. The Board can request the highway department place sand on the road end. Additionally, the board discussed the other path which exists to the right of the road end. Jim Grimes will call Stephen Lynch tomorrow.

Kayaks:

John Aldred provided the Board with the estimate from Chris Hamilton for repair and reconstruction work to the Kayak racks. Jim Grimes made a motion to approve Chris Hamilton's estimate and to provide John Aldred discretion to have

Hamilton construct an additional rack at Mile Hill Rd location. Tim Garneau seconded the motion and it was unanimously approved. The Kayak lottery will be held on March 15th and all entries must be received by March 14th at 12:00 pm.

Three Mile Harbor

Keith Grimes, INC submitted a request to on behalf of John Herrlin of 183 Three Mile Harbor Hog Creek Road, SCTM #300-94-1-2.001 to replace the existing bulkhead with vinyl sheeting. Jim Grimes made a motion to approve the request as per the plans submitted. John Aldred seconded the motion and it was unanimously approved.

The Clerk transitioned to announcements:

Susan McGraw-Keber shared with the board that the New York State senate has reintroduced a bill to Ban the Intentional Release of Balloons.

Keber also updated the Board that Dr. Christopher Gobler will present his 2022 report during the next meeting on March 13, 2023. There will be a committee meeting via Zoom with Dr. Gobler the following evening, March 14, 2023, to discuss the plan for water quality monitoring for 2023.

The Clerk transitioned to the administrative portion of the meeting:

Payment of bills: There were no bills to be paid.

Minutes: The Minutes for the meeting of February 13, 2023 were available for review. Susan McGraw-Keber read them minutes and felt they were accurate. McGraw-Keber made a motion to approve to approve and accept the minutes of February 13, 2023. John Aldred seconded the motion and it was unanimously approved.

Financials: The Financials for the months of December 2022 and January 2023 are available for review. Jim Grimes made a motion to approve the financials for 12/31. Susan McGraw-Keber seconded the motion and it was unanimously approved. The financials for 1/31/2023 were tabled.

John Aldred brought up the Passing Way Easement language which has existed on Trustee permits for docks and bulkheads. There have been some bulkhead reconstruction permits granted recently and the question has arisen as to whether a passing way easement should be part of the language. The Board had a conversation to discuss when a passing way easement may be appropriate. The conversation continued around the differences between public and private properties such as a marina compared to a private residential property. The board discussed how historically some of the properties at one point likely had some sort of beach in front of the property. The conversation continued around potential liability to either the property owner, Town or Trustees. Further discussion continued as to whether any easements have been recorded with the county; whether there were recorded Certificates of Occupancy which included the bulkheads in question.

Chris Carillo advised that the Trustees are better protected via an Access Easement recorded with the county versus vague permit language. Additionally, Carillo advised to take it case by case. There was additional conversation that the Trustees could require the applicant provide any Covenants and restrictions on the property along with the application.

Tim Garneau made a motion to close. Jim Grimes seconded the motion and it was unanimously approved.

The meeting closed at 8:30 p.m.