



MEETING MINUTES OF JULY 24, 2023
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Present: Francis Bock, Clerk
Jim Grimes, Deputy Clerk (Zoom)
Bill Taylor, Deputy Clerk
John Aldred
Ben Dollinger
Tim Garneau
Mike Martinsen

Absent: David Cataletto
Susan McGraw-Keber

Present: Alyson Follenius, Trustee Secretary
Arlene Tesar, Trustee Secretary
Chris Carillo, Trustee Counsel
Scott Dobriner, Inter-Science Research Associates

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 David Cataletto, Susan McGraw-Keber and Mike Martinsen. Mike Martinsen arrived at approximately 6:40 p.m.

The Clerk transitioned to Public Comment:

Scott Dobriner was present on behalf of 85 West End Road LLC and The Pond House Inc., owners of 85 and 93 West End Rd, respectively, to request a 5-year Dune Maintenance permit for each property. Dobriner shared the request came about in an effort to better align the Trustee permits with the duration of the New York State DEC permits for the properties. Dobriner shared the same work has been completed on the properties 9 of the last 12 years. Generally, Dobriner comes to the Board in December or January ahead of the shore bird nesting season to get approvals to do the dune restoration work. The DEC has granted a 10-year permit which makes the process simpler. If the Trustees grant the permit, Dobriner will only need to seek annual approval from one out of the three regulatory agencies and it would streamline the process. Dobriner gave a brief overview of the properties and the projects. Dobriner presented the aerial imagery of both properties as well as the site plans. The site plan is the same as it has been for the last nine years. There were a few questions from the Board, to which Dobriner

provided clarification. Jim Grimes acknowledged that this applicant has always provided their applications and documentation in a timely fashion and has always completed the work to the specifications of the permit. Grimes offered that he would be ready to make a motion to approve the application. Francis Bock noted he would like to allow Dobriner to complete the presentation before any voting occurs. Dobriner completed the presentation. Jim Grimes had previously made a motion to approve the request for a 5-year dune maintenance permit. Tim Garneau seconded the motion and it was unanimously approved. Dorbriner acknowledged that all of the same conditions held previously would apply. He added that if sand placement is needed in the upcoming seasons, an as-built survey will be provided. There was a brief discussion regarding the desire of the homeowner to place additional rocks to the revetment.

The Trustees received a request from Peter Mendelman of 60 Harborview Lane, SCTM # 300-57-6-2 for Emergency Bulkhead Replacement. The Trustees thought Mendelman may have planned to attend the meeting but was not present. John Aldred provided a brief overview of the project request as it was discussed during the previous meeting. The request is to replace the failing bulkhead in place, in kind with the only difference being to raise the height of the bulkhead by 1 foot to match the height of Harbor Marina's bulkhead on the adjacent property. The discussion held during the previous meeting detailed the use of Permeable Reactive Barriers (PRBs) behind this bulkhead to help mitigate nitrogen runoff into the harbor. John Aldred recused himself from this vote as he sits on the Water Quality Technical Advisory Committee (WQTC) and the PRB project will seek funding from WQTC where Aldred has a vote. Aldred did request that if approved, the language of the permit allow for the accommodation of a PRB to be constructed behind the bulkhead. Aldred provided a brief explanation of the PRBs and discussed the estimated time span for approval for funding the project with WQTC. Bill Taylor made a motion to approve the request for an emergency bulkhead replacement. Jim Grimes seconded the motion and it was unanimously approved. John Aldred recused himself from the vote.

The Clerk transitioned to New Business:

The Clam Contest was on the agenda, but Susan McGraw-Keber was not present and it was tabled until next meeting.

Susan McGraw-Keber had sent a letter to the Board for review but was not present to discuss. Jim Grimes provided feedback on the letter, which was to be sent to the Suffolk County legislature requesting that the Suffolk County Water Quality Restoration Act be placed on the November ballot. Grimes shared concerns about the language of the bill and whether it allows loopholes for the funds to be spent on things other than what it is intended. John Aldred shared some of the specifics of the language of the bill. McGraw-Keber received enough support to approve sending the letter earlier in the day.

Francis Bock raised the matter of a non-compliant mooring. Bock and Jim Grimes had a discussion earlier in the day. Bock and Grimes updated the board sharing the recent rainstorm had the vessel partially sinking and overturned. Grimes received a photo from Sara Davison and a complaint from a resident. The vessel still had the 30 hp motor attached. The permit issued allow for a 10 hp motor. The larger motor was not being utilized, however there was concern that it demonstrated a failure on the part of the Board when they issued the permit given the owner did not secure the vessel prior to the storm. There was also concern about the environmental hazards which could have occurred. Grimes felt it may be better suited to have the researchers to take the boat in and out daily. There was a brief discussion around the options the board has moving forward. Trustee attorney Chris Carillo recommended the Board issue a warning to the permit holders given it is halfway through the season. He suggested the warning state they must remove the larger engine in order to be in compliance. Then the board may decide whether to issue a permit the following year. Mike Martinsen offered that he would like to see the permit holder watch the weather more closely and remove the vessel should they see a similar storm forecasted. Bill

Taylor agreed the warning letter would be the best course of action. Jim Grimes offered he would support that route. Fracis Bock asked if all members were in favor, it was unanimously approved.

John Aldred updated the board with regard to the Mosquito Larvae counts. Aldred and team went to count on the Tuesday following the heavy rainfall and found “lots of larvae ad adults.” The county was not able to spray after the previous moon cycle due to the fog which may explain the quantity of adult mosquitos. The county scheduled spraying for this week.

The Clerk transitioned to Committee Reports:

Three Mile Harbor:

The Trustees received a request from First Coastal, on behalf of the owners of 85 Oyster Shores Rd., SCTM# 300-92-2-43 to close out Trustee permit T-6-22 for dock reconstruction. John Aldred acknowledged this property has covenants and restrictions recorded which specifically pertain to the construction of the dock. Aldred noted some discrepancies between the plan and the construction of the dock. Aldred dug a bit deeper in the file. When the dock was originally permitted, all of the permitting agencies signed off on the dock as Aldred saw it constructed. The original plan called for it to be constructed using 4 pilings of galvanized pilings. The current structure has six pilings but because it was modified and scrutinized to originally to allow for the six pilings, he recommends the board sign off on it now. John Aldred made a motion to close out Trustee Permit T-6-22. Tim Garneau seconded the motion and it was unanimously approved.

The clerk transition to Administrative:

Payment of bills

The following bills need to be paid: Bistran Materials Inc. - \$300 (sand for placement at Mile Hill Road); East Hampton Marina - \$156.80 (Fuel); East Hampton Star - \$50.76 (Classified Ads); Montauk Angler’s Club & Marina - \$931.54 (Oil Change and minor work/parts); Montauk Marine Basin - \$468.13 (Fuel); Riverhead Building Supply - \$143.56 (Pump out supplies and signage supplies); EH Business Services - \$27.00 (Historic Fair Poster). Jim Grimes made a motion to pay the bills. Mike Martinsen seconded the motion and it was unanimously approved.

Minutes: The minutes from the meeting of July 10, 2023 were available for review. Jim Grimes and John Aldred reviewed the minutes. Grimes saw no issue with them and Aldred had already provided a few edits. John Aldred made a motion to accept the minutes of July 10, 2023. Francis Bock seconded the motion and it was unanimously approved.

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

The meeting closed at 7:17 p.m.