



MEETING MINUTES OF OCTOBER 13, 2023
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Present: Francis J. Bock, Trustee Clerk
John Aldred
David Cataletto
Ben Dollinger
Tim Garneau
Susan McGraw-Keber

Absent: Bill Taylor
Jim Grimes
Mike Martinsen

Present: Arlene Tesar, Trustee Secretary
Alyson Follenius, Trustee Secretary
Chris Carillo, Trustee Counsel via Zoom
Chris Walsh, East Hampton Star

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 Jim Grimes, Bill Taylor, and Mike Martinsen.

The Clerk transitioned to Public Comment:

There was no one in the audience or on the phone line.

The Clerk transitioned to Committee Reports with the Dock Inventory Update and Moratorium Issue:

Dock Inventory Update:

John Aldred updated the board regarding the Dock Inventory. Aldred shared that the Trustees have been working on for the last two years is largely complete. He noted that a few of the Trustees have met several times in Committee to talk about what they are seeing and what issues they might need to bring to the Board for their

consideration. The committee will probably need several more meetings to go through these points, consolidate them a bit and come up with recommendations for the entire Board to mull over. Since the temporary extension to the dock moratorium expires on November 22, before the Trustees meeting of November 27, the committee felt it needed to extend the moratorium, but only until the end of the year, to give the Trustees the chance to wrap up all the open questions. Aldred said that the resolution to extend the moratorium will be read after the “Points for Consideration” are read aloud and shared with the board. These points are some of the items that the committee thinks need to be considered, for policy changes or additions. Aldred emphasized the committee was only introducing them tonight and they were not ready for a full board discussion. Aldred then offered the timeline being considered for this whole process as follows:

- First meeting - Oct 13 meeting – Propose extension of dock moratorium until Dec 31, 2023, and introduce all the points to the Board and the Public
- Second meeting - Oct 23 – Full Board discussion on all outlined points
- Third meeting - Nov 13 – Hold a Public Hearing if the Board feels that is necessary
- Fourth meeting - December 11 – Vote on any policy decisions.

John Aldred then read the items to be considered by the Board.

Resolution to extend the Dock Moratorium:

Francis Bock then asked David Cataletto to read the Resolution to extend the Dock Moratorium to December 31, 2023. After David finished reading the Resolution, a motion was made by David Cataletto to pass the Resolution to extend the Dock Moratorium to December 31, 2023. The motion was then seconded by Susan McGraw-Keber and unanimously approved.

Attorney Chris Carillo summarized that the Trustee Committee wants to make it clear to the public and the Trustees not in the committee, that the Trustees are working hard to put forward a solid policy, educate the public about the potential changes and invite the public to come to the next few meetings and speak to the Trustees with any opinion’s or concerns they may have.

Alyson Follenius left the meeting at 6:50 pm

The Clerk transitioned to New Business:

- The Board received a request from Richard J. and JoAnn Hamilton to Assign their Lazy Point Lease for 145 Shore Rd, Lot # 40 S – SCTM# 300-85-1-31.1 to John Marks, a longtime resident of the Town of East Hampton. Christopher Carillo said he has spoken with the attorney for John Marks and his affidavit of domicile has been submitted along with all other required documents, except the proof of having run a legal ad in the East Hampton Star for 3 weeks, notifying the public of the pending assignment of the lease. Attorney Carillo said everything seemed to be in order, but suggested the Trustees delay their vote until the next meeting which will happen in 10 days, when the public notice will have begun running in the East Hampton Star. At that point they may want to approve the Transfer subject to receiving the signed affidavit from the East Hampton Star verifying that the Public Notice of Assignment has run for 3 consecutive weeks.
- Trustee Attorney Christopher A. Carillo left the meeting at 7pm.

- The next order of business was to read the Resolution Delaying the Opening of Scallop Season – Susan McGraw-Keber offered to read the Resolution to the Board. The Trustees are offering this resolution because the Town Code has Scallop Season in Trustee Waters opening on the third Monday in October (October 16th this year). Due to the scarcity of scallops the New York State DEC has been opening Scallop Season on the First Monday in November for many years now. To allow the scallops more time to spawn, the Trustees have been delaying the opening of Scallop Season in their waters to 6 (six) days after Scallop Season opens in State Waters. After the resolution was read by Susan McGraw-Keber, a motion was made by her and seconded by John Aldred to accept the Resolution as written. The Board voted unanimously to pass this resolution. John Aldred suggested rather than passing a yearly resolution delaying the opening of Scallop Season that the Trustees should change the official opening date of Scallop Season in the Town code. Scallop Season has been opening in East Hampton Town Trustee waters at sunrise on Sunday, following the opening of Scallop season in State waters. The New York State Department of Environmental Conservation has standardized the opening of Scallop Season in state waters as occurring on the first Monday in November. The Trustees always delay an additional 6 days after the opening of Scallop Season in state waters, to allow the Scallops more time to spawn.
- Edwina Von Gal contacted John Aldred regarding the collapsing osprey tower on the Accabonac marsh near her property. She would like to repair it at her expense, but she wasn't sure if she would need permission from the Trustees. John Aldred mentioned that when Marina DeLuca came before the Trustees to discuss Osprey Towers that the Trustee Board offered strong support for these structures. Susan McGraw-Keber said that she remembered when Marina DeLuca addressed the Trustees. John Aldred asked if we could add this again to the agenda for our next meeting for further discussion.
- John Aldred brought before the Board a communication from Christine Ganitsch requesting the Trustees close to vehicular traffic, the Accabonac Harbor Side beach vehicle access at southern terminus of Gerard Drive. A photo of the beach with tire tracks going through the water and the suggestion that people may be driving on the vegetation was shown to the Board. The Trustees discussed whether that access was helpful to the public in accessing the kayak racks or for any other purpose or if it should be temporarily blocked. This matter was tabled until the next meeting. Trustees Susan McGraw-Keber and David Cataletto said they would go over to the site to look at the situation. In the past there was a problem at Gerard Park and at Louse Point with people driving over vegetation to launch their boats.
- John Aldred updated the Board about the Trustee mandated Fisheries Study for the South Fork Wind Farm cable which is studying the possible effects to the Fisheries that the cable may have in the near shore area. The Trawl Survey will be done this fall between October 16 and October 23, 2023. Susan McGraw-Keber has posted this information on our website. John showed the cross hatched areas to the public explaining that the red cross hatch area was the area being studied for the effects of EMF's on the Fisheries and the green cross hatch area was the control area.
- Susan McGraw-Keber informed the public that she had posted photos of the opening of the Georgica Gut on the Trustee website. Susan had also posted a historic video from LTV showing a historic opening of the gut of Georgica Pond. Susan said she recently learned that the indigenous peoples used clamshells to open the sand spit between Georgica Pond and the Ocean. The reason for the opening of the gut is to allow the exchange of fresh and salt water and to allow the bait fish to go into the ocean and other fish species to enter to Spawn. John Aldred said the water was flowing well between the pond and the ocean.

The clerk transitioned to the Administrative portion of the meeting:

Payment of the Bills: - The Clerk read the following bills that needed to be paid - East Hampton Marina - \$266.30; East Hampton Star - \$14.69; Montauk Anglers Club - \$953.03; Montauk Marine Basin - \$755.63; Nawrocki Smith - \$9,000 for audit services; Riverhead Building Supply - \$28.20. A motion was made by David Cataletto to pay the bills. The motion was seconded by Susan McGraw-Keber and unanimously approved.

Minutes: - John Aldred said he had some comments to make regarding the minutes of September 25, 2023, and he hasn't had a chance to submit them yet. Susan McGraw-Keber said she hasn't had a chance to review the minutes of September 25, 2023, so they were tabled until the next meeting.

Report of the Clerk:

David Cataletto reminded everyone that the Trustees were participating in a Parade on Saturday. Susan McGraw-Keber said it was for the Town's 375th Anniversary. David invited everyone to come. Susan let everyone know that it starts at the Presbyterian Church at 10 am and winds its way through town to the corner of Lumber Lane. The Trustees will be participating in the parade with the Trustee Truck pulling the pump-out boat.

A motion to close was made at 7:14 pm by Tim Garneau. The motion was seconded by Susan McGraw-Keber and unanimously approved.

The meeting closed at 7:26 p.m.