



MEETING MINUTES OF APRIL 22, 2024
OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF EAST HAMPTON

Present: Francis J. Bock, Clerk
Jim Grimes, Deputy Clerk
Bill Taylor, Deputy Clerk
John Aldred
David Cataletto
Patrice Dalton
Celia Josephson

Absent: Ben Dollinger
Tim Garneau

Present: Alyson Follenius, Trustee Secretary
Arlene Tesar, Trustee Secretary
Chris Carillo, 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 except Ben Dollinger and Tim Garneau.

The Clerk transitioned to the Public Comment: There was no one present for public comment.

The Clerk transitioned to New Business: There was no new business to discuss.

The Clerk transitioned to Old Business:

John Aldred spoke with Kim Shaw of the Town's Natural Resources Department. Shaw has asked the Trustees if they would be interested in assisting the Natural Resources Department in assisting with covering the salary of a Piping Plover Intern again for the 2024 season. Jim Grimes acknowledged that the board had previously had an informal discussion regarding continuing the support. Jim Grimes made a motion that the Trustees engage in contributing the salary for the plover intern. However, Grimes shared that the Trustees' bank accounts are currently frozen as part of the ongoing litigation over Truck Beach, but he would like to approve hiring the intern subject to the release of the Trustees' accounts from the restraint or the articulation of what the Trustees are allowed to pay out of the accounts. Celia Josephson seconded the motion, and it was unanimously approved. Subsequently, John Aldred shared a graph from the Town of East Hampton's Natural Resources Department's

plover monitoring report from 2023 on the screen. Aldred shared the data provided and there was a brief discussion around the results. Attorney Chris Carillo then circled back to the motion the board just passed to ensure clarity for the record. Carillo reiterated that the motion which was just passed was a motion to approve of the seasonal piping plover observer subject to resulting clarification on the current restraining notice from Attorney Catterson on the Trustees' operating accounts.

Francis Bock brought up the matter of the resolution to collect a fee for Special Events on East Hampton Village Trustee Beaches. Bock explained the Village has offered to collect the fees and applications for said events to occur on Village beaches. The Village will essentially do the vetting for these applications. David Cataletto read the resolution into record. John Aldred seconded the motion, and it was unanimously approved.

The Clerk transitioned to Committee Reports:

Aquaculture:

John Aldred circled back to the discussion around permitting the taking of soft clams and razor clams in Trustee waters. The board began the discussion during the last meeting. Aldred stated the board needed to discuss the appropriate dates to include in the resolution. The appropriate dates would include the dates which permit holders would be permitted to power of soft and razor clams along with the reporting dates which the Trustees would request from the permit holders. There was a discussion regarding setting these dates, the duration for which permitting would be allowed and amending the monitoring catch records. There was a consensus among the board to limit the permit time frame to expire in December 2024 and revisit opening it again in the new year. Aldred suggested opening the application process tomorrow April 22, 2024 and publish the notice in the Star. Aldred read the resolution into record. The resolution allowed for the taking of soft clams and razor clams between May 6, 2024 through December 31, 2024 and those holding a valid Town of East Hampton commercial shellfish permit would be able to submit an application for a special permit beginning April 23, 2024 through May 3, 2024. Jim Grimes made a motion to approve the motion. Celia Josephson seconded the motion, and it was unanimously approved.

John Aldred addressed the matter of Dr. Gobler's 2024 Water Quality investigation. Aldred shared that the board has already heard Gobler's presentation for the 2023 water quality investigation and that generally a committee would be formed to determine anything additional to add to the planned investigations for 2024. Aldred suggested the board add the Lion Head ponds to the list of water bodies studied for 2024. For the 2023 season, the board agreed to add the sampling of Swan Pond and Pond Lane Pond in the Lion Head community to the list of Hog Creek samples for one year and at the Trustees' expense. The results from 2023 were interesting and Aldred thought it may be worth doing for a second year. The community was unsuccessful in their attempt to receive grant funding to do extensive remediation work. The board questioned what the additional cost of adding the ponds to the sampling schedule was. Aldred confirmed the total cost was not broken down into individual line items but it was a minimal addition. Bill Taylor agreed that the resulting data were interesting in that the ponds are adjacent to one another and the distance between them is short, yet they yielded drastically different results. Patrice Dalton commented with a concern about the lack of public access to these ponds. Aldred confirmed that the reason the board had only agreed to fund the water sampling project for one year was because there is currently no public access to the ponds. Jim Grimes asked whether the board could request a presentation from the homeowner's association to share what steps they have taken to mitigate the current water quality issue. Jim Grimes made a motion that the board add the two Lion Head ponds to the water quality testing for 2024 contingent upon the association and/or individual homeowners providing information as to what they are doing to aide in improving the water quality. Aldred confirmed the homeowners came to the board initially and went through an extensive process to request grant funding but were unsuccessful. There was additional concern among the board that if the residents were waiting for public funds to do this, it may be a futile effort. Several board members wanted to see the community step up as homeowners to support mitigation efforts through the installation of

buffers, IA systems, etc... Aldred added that the roads in the community are town roads, and the drainage leads to the ponds. Grimes confirmed the drainage was installed by the original developers. Further discussion followed regarding maintenance of the drainage systems and their potential impact on the water quality of the ponds. It was also noted that there is a significant watershed there and that anything which falls into the road is conveyed through swales and ends up in the ponds or the harbor. The board returned to the matter of adding the ponds to the water sampling queue for 2024. Francis Bock asked if the board should “hold out a carrot” and fund the testing for 2024. David Cataletto and Jim Grimes were supportive of funding it for 2024. Grimes reminded the board there was a motion on the table. David Cataletto seconded the motion on the table, and it was unanimously approved. The conversation concluded with Dalton sharing that properties in Clearwater, such as the one she visited on that same day, have a similar grade with drainage into the adjacent water body.

Continuing the discussion around the 2024 Water Quality sampling priorities, Aldred added that the 2023 project took sediment samples from Napeague and between the inlet and launch ramp of Accabonac Harbor. Grimes agreed that he would like to keep the sediment sampling as part of the project. Aldred stated he would like Northwest Creek to be added to the sediment and water sampling investigations for 2024. Aldred skipped to another related topic on the agenda sharing there has been discussion around environmental dredging farther into the creek to allow better flushing. There was an application made by the Natural Resources Department in 2019 to dredge Northwest Creek. The project occurred but did not include dredging further into the creek. Aldred is hopeful the additional sediment, temperature and water quality would provide evidence to the county that this area should be included in future dredging projects. Jim Grimes piggybacked on this portion of the conversation to suggest Little Northwest Creek be included in the sampling for 2024 as well.

A current permit exists to dredge Little Northwest Creek but there are modifications which will be needed. Grimes suggested the permit should be modified to align the cut differently. The DEC did not allow this to occur with the original permit. The board had hoped for better results from the dredging but has not yet seen a significant impact. There has been flooding of the adjacent properties and it seems as though if the inlet was redirected, it may mitigate the issue. The board will need to go back to the DEC to request the change. Grimes asked the board for verbal approval to get Drew Bennett to work on a modification for the Little Northwest Creek dredging permit. Overall, the consensus among the board members was to schedule a meeting with Dr. Gobler via Zoom in the next week or two to discuss these additions to the water quality investigations. Aldred will arrange a meeting with Dr. Gobler, John Aldred, Jim Grimes, Celia Josephson and David Cataletto.

Harbor Management:

John Aldred brought the matter of the Suffolk County DPW request for 2024 dredge priorities. Jim Grimes mentioned he and Francis Bock had a brief conversation with Ed Romaine who was enthusiastic about the dredge projects in Napeague Harbor and Northwest Creek. Romaine will be setting up a meeting on his end and offer whatever support he is able to provide. Aldred brought the conversation back to the 2024 dredge priorities. Aldred spoke with Kim Shaw, of the Town Natural Resources Department, who shared the town has acquired soundings of Accabonac Harbor. The data resulting from these soundings show there has been shoaling in the inlet and it sounds as though Accabonac Harbor will be a priority for the dredge projects. Shaw mentioned that Jim Bennett of Marine Patrol is actively looking into what is happening in Three Mile Harbor. Additionally, Northwest Creek was just dredged last year. Therefore, it seems that Accabonac is the likely priority for the next county dredging. Grimes asked whether Accabonac could be dredged further back toward the launching ramp. The discussion transitioned to include Dr. Gobler’s sediment sampling and how the county has not been willing to dredge near the ramp because the material is not beach compatible. Bill Taylor added that if the Trustees can show the sediment material is beach compatible the county may be willing to go to the launch ramp with the dredge. The conversation continued to discuss the bay side of Louse Point where a recent storm scoured much of the area where the recent dredge spoil was spread. The Trustees will have a conversation with Shaw to further discuss the matter.

Water Quality Technical Advisory Committee:

John Aldred updated the board regarding the results of round one of the Water Quality Technical Advisory Committee's recommendations for the Water Quality Grants and the Town's final decision. Aldred read off the proposed projects, amounts requested and the amounts the projects were granted.

Records/Website:

Michael Hansen has submitted the 2024 proposal to continue website maintenance. David Cataletto made a motion to approval the proposal. Jim Grimes seconded the motion, and it was unanimously approved.

The clerk transitioned to the administrative portion of the meeting:

Payment of bills: The following bills need to be paid: Wittendales - \$217.25 and Staples - \$139.65. David Cataletto made a motion to pay the bills. Jim Grimes seconded the motion, and it was unanimously approved. Grimes clarified this approval is contingent upon the clarification of the restraining notice.

David Cataletto reminded the board that the scholarship applications are still available for review and the decisions were needed by April 29, 2024.

Celia Josephson mentioned she was approached by someone in the community who asked how they could put a bench near Settler's Landing. The board shared that request would go through the Nature Preserve Committee.

John Aldred made a motion to close the meeting. David Cataletto seconded the motion, and it was unanimously approved.

The meeting closed at 7:44 p.m.