



**MEETING MINUTES OF APRIL 29, 2024 SPECIAL MEETING
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
Patrice Dalton
Ben Dollinger
Tim Garneau
Celia Josephson

Absent: David Cataletto

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

The Clerk opened the meeting at 5:31 p.m.

The Clerk requested roll call. All trustees were present except David Cataletto

The Clerk transitioned into business:

Attorney Chris Carillo updated the board that this meeting was called to discuss changing counsel from Ryan Cummings of Hodgsun Russ, LLP to Johs, Avallone, Avilles, LLP. Carillo explained he gave Cummings a courtesy call to let him know the Trustees will be moving in a new direction with different counsel. Carillo clarified that Cummings was cooperative and will continue to complete the bonding process and upload the documents to NYSCEF when complete. Upon which time this will conclude the relationship between the Trustees and Hodgsun Russ, LLP for this matter.

The Clerk transitioned into to bring a resolution to the table:

Francis Bock read a resolution titled, “Resolution to retain counsel for civil defenses representation” into record. The resolution terminates the relationship with Hodgsun Russ, LLP and will retain new counsel for the civil suit, *The Seaview at Amagansett, Ltd. et al. v. Trustees of the Freeholders and Commonalty of the Town of East Hampton*. The resolution allows the Trustees to hire Fred Johs as counsel. The Trustees will pay the law firm of Lewis, Johs, Avallone, Avilles, LLP a retainer fee of \$10,000 pending the lift of the Restraining Notice from their

M & T Bank accounts. The clerk called for a vote and Jim Grimes shared this should be a roll call vote. Secretary Alyson Follenius polled the board. The votes were as follows:

John Aldred	Yes
Francis J. Bock	Yes
David Cataletto	absent
Patrice Dalton	Yes
Ben Dollinger	Yes
Tim Garneau	Yes
Jim Grimes	Yes
Celia Josephson	Yes
William F. Taylor	Yes

The motion was unanimously passed and approved (Resolution 2024-34 and the roll call sheet are attached to these minutes).

The Clerk asked if anyone had anything further to discuss.

John Aldred shared with the board that he received a message from Pete Topping. Topping is interested in putting a camera at Lazy Point facing Northwest to the inlet. The board questioned whether he would be installing it on Trustee property. Aldred confirmed it would be on Trustee property.

Patrice Dalton shared that the erosion at Louse Point is significant and was concerned that the Piping Plovers may not be attracted to nest there. The board had a brief conversation about plovers and the nesting area.

Bill Taylor made a motion to close. Patrice Dalton seconded the motion, and it was unanimously approved.

The meeting closed at 5:45 p.m.



P.O. Box 7073
Amagansett, NY 11930

Trustees
of the Freeholders and Commonalty of the
Town of East Hampton

631-267-8688
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Adopted: April 29,2024

Resolution # 2024 – 34

RESOLUTION TO RETAIN COUNSEL FOR CIVIL DEFENSE REPRESENTATION

WHEREAS, the Trustees are currently a named defendant in the civil proceeding *The Seaview at Amagansett, Ltd. et al. v. Trustees of the Freeholders and Commonalty of the Town of East Hampton et al.* (Index No. 034714/2009) which is pending in the Suffolk County Supreme Court, and;

WHEREAS, the Trustees are currently represented by Hodsgun Russ, LLP, and;

WHEREAS, the Trustees have determined that it is in their best interest to retain new counsel to represent them for all matters pertaining the above referenced litigation and;

NOW THEREFORE, BE IT RESOLVED, by the Trustees of the Freeholders and Commonality of the Town of East Hampton:

1. The Trustees appoint Frederick C. Johs, Esq., of the Law Firm of Lewis, Johs, Avallone, Avilles, LLP. to represent the Trustees in the Civil Defense proceedings in the above noted case.
2. The Trustees agree to pay the Law Firm of Lewis, Johs, Avallone, Avilles, LLP a retainer fee of \$10,000.00 pending the lift of the Restraining Notice from their M&T Bank account(s).
3. This Resolution is effective immediately.

Francis J. Bock read the resolution into record. Deputy Clerk Jim Grimes requested a roll call vote. Secretary Alyson Follenius polled the Board members. The votes were as follows:

John Aldred	Yes
Francis J. Bock	Yes
David Cataletto	absent
Patrice Dalton	Yes
Ben Dollinger	Yes
Tim Garneau	Yes
Jim Grimes	Yes
Celia Josephson	Yes
William F. Taylor	Yes

The motion was unanimously passed and approved.

By the order of the Trustees and the Freeholders of the Commonalty of the Town of East Hampton.

EAST HAMPTON TOWN TRUSTEES

2024

Roll Call Sheet

Special Meeting 4/29/24

Roll call vote:

NAME		
John Aldred	✓	yes
Francis J. Bock	✓	yes
David Cataletto	X	<u> </u>
Patrice Dalton	✓	yes
Ben Dollinger	✓	yes
Tim Garneau	✓	yes
Jim Grimes	✓	yes
Celia Josephson	✓	yes
William F. Taylor	✓	yes

Taken by Alyson Fullen

