



**MEETING MINUTES OF MAY 13, 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  
Ben Dollinger  
Celia Josephson

Absent: 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 at roll call except Tim Garneau.

**The Clerk transitioned to the Public Comment:**

Cynthia Diacre, a resident of Middle Highway approached the board to request that they grade the Middle Highway between Berrymen Street and Gabriel's Path. Diacre believes it is dangerous and is frequented by heavy delivery and garbage trucks. Diacre explained that at the beginning the Trustee land, garbage is regularly dumped. There is a "no dumping" sign which states fines will be imposed for those caught. Diacre suggested the Trustees install a camera in order to catch whoever may be dumping the garbage, implement the fines and use the revenue to grade the road. John Aldred asked for clarification as to where the garbage has been seen. Diacre clarified it occurs where Berrymen Street intersects Middle Highway and it is an approximate stretch of 500 yards. Francis Bock asked whether the construction of the neighboring home was still underway. Diacre confirmed it was and her next step was to reach out to her neighbor to inquire whether she was going to do something to aid the road's current status but also confirmed the road has been in this condition for the last twelve years. Aldred clarified that the signs were likely posted by the Town of East Hampton and did not believe the Trustees could issue the fines. The board thanked Diacre for her comment.

Billy Mack, of First Coastal addressed the board on behalf of Green Acres, LLC, owner Robert Rifkind of 3 Eel Cove Rd, SCTM #300-200-3-18 requesting approval to hand cut and remove phragmites. The request is to renew a permit which has already been in existence. Jim Grimes shared he is familiar with the property and shared that another firm had been handling the project. Mack's firm has since taken over the project management. Jim Grimes made a motion to approve the request. David Cataletto seconded the motion and it was unanimously approved.

Larry Kane and George Kane came before the board to request approval to purchase the lease at 281 Shore Rd, SCTM# 300-84-9-1.1, Lots 6s & 7S in Lazy Point. Chris Carrillo stated all of the paperwork was in order except the notice of sale was still in publication for another week. Carrillo recommended the Trustees approve the request subject to receiving the affidavit of publication. Jim Grimes made a motion to approve the request to transfer the lease. Bill Taylor seconded the motion and it was unanimously approved.

Pete Topping, of the Peconic Baykeeper, presented a proposal to the board requesting support for a Project R.I.S.E. The goal of the project is to install fifteen Chronolog stations at various locations throughout the Peconic Estuary. The station will have a mobile phone stand for the community to assist with the project to study climate and coastal change over time. Community members use the stand to take a photograph and upload the image to the website provided. The main goal is to increase community engagement, provide valuable resources to stakeholders and support resource management. There are already twelve stations installed. There is funding for the project for the next five years. The Chronolog website also allows the visitor to see the other photos which have been uploaded. The resource allows anyone access to the images as they can be directly downloaded from the site. Topping is hoping to install a station at the end of Shore Road in Napeague. Jim Grimes felt the proposed site was a great location as long as it does not interfere with public access. Grimes asked if Topping had any other sites in Trustee jurisdiction in mind. John Aldred suggested a station at Little Northwest Creek would be another great spot as there has been increased concern from the community there and the residents are very active and likely to take photos regularly. Aldred asked what Topping needed from the Trustees to move forward. Topping confirmed he sent over an MOU (memorandum of understanding) and is looking for permission to install the station, which is comprised of a 4x4 into the ground. The board continued to discuss possible locations and Topping clarified the goal is to take a micro approach to get a view of a shoreline or marsh over time. John Aldred made a motion to support the project. Jim Grimes seconded the motion. Aldred questioned if the MOU was needed. Grimes questioned if Topping would be maintaining the stations in the event of damage. Topping confirmed they will be maintaining them. Patrice Dalton questioned whether PEP required the MOU. Topping confirmed there were partners which felt more comfortable with the agreement put into writing. The clerk circled back to the motion was on the table and called for a vote. The board unanimously voted to approve the project request.

#### **The Clerk transitioned to New Business:**

The clerk brought up the matter of the Hamptons Pride Parade. David Cataletto announced that Hamptons Pride will be on June 1, 2024 at 12 pm. Several board members discussed attending. Celia Josephson asked whether the Board will be participating in the Memorial Day Parade. Members confirmed they have not participated in the past. The board will be participating in the Pride Parade.

#### **The Clerk transitioned to Committee Reports:**

Patrice Dalton provided a summary of last week's PEP meeting. The updates included PEP's recent accomplishments regarding completing the culvert project in Little Reed Pond in Montauk. The board had a brief

discussion about the history of the project. The second matter discussed at the PEP meeting was their Shoreline Adaptation Initiative. Dalton explained that she and John Aldred participated in the first round of discussions where participants mapped out the permitting processes. PEP is working to document and map out the permitting processes across several agencies to provide a collective resource for homeowners, agencies, and applicants alike. Southampton Town and Southold Town Trustees also participated. The tool could offer insight for agencies and municipalities to improve upon their own permitting process. Finally, PEP has funding available to homeowners who wish to install rain gardens on their properties.

Patrice Dalton transitioned to the matter of piping plover management. Dalton shared that many of the plover nests are in areas where there is also beach driving and that when the “parent” birds feel disturbed, they will move away from the nest for a certain time. This can increase mortality as the nest is left unattended. The Eastern Long Island Audubon Society and the Fish and Wildlife Service have funding available for education events and materials. Dalton asked the board if there was interest in sponsoring the work. Francis Bock mentioned the board needs to be cautious as it does not have jurisdiction of road ends. Jim Grimes, while in favor of plover work, was cautious and wanted to be sure that the work does not increase litter as many of these educational events tend to do. Bock asked if this would be a one-time event. Dalton clarified that it would be a one-time event as the plovers are currently nesting. Once the plovers fledge, the fences will come down and the public will not know to continue using caution. The board continued to discuss last seasons’ plover monitoring data and projections for this upcoming season. Grimes mentioned the data was likely skewed as some nesting areas which were studied in the past are no longer accessible to the Town or the Trustees. There was further discussion around factors affecting the decreasing plover population numbers. Alred shared that the Natural Resources department was supposed to attend this meeting, but conflicts arose, and they will come to a future meeting. Francis Bock piggybacked on the conversation and asked if the board would approve raising the Plover monitors’ pay from \$20 to \$22 an hour for a maximum of 20 hours per week. Jim Grimes made a motion to approve raising the hourly rate of the piping plover monitors from \$20 an hour to \$22 an hour. David Cataletto seconded the motion and it was unanimously approved.

### **The Clerk transitioned to Committee Reports:**

#### ***Aquaculture:***

The Board received Dr. Christopher Gobler’s 2024 Water Quality Testing proposal. Celia Josephson was appreciative of the format of the proposal as it was clear and succinct. Bill Taylor appreciated that the study costs are not increasing over last year. John Aldred summarized the details of the proposal and shared the screen with the public to see a chart depicting all of the proposed work. The changes for the 2024 water monitoring sampling include:

- Microbial source tracking will be reduced to one site in Accabonac and Three Mile Harbor;
- Sediment analysis, bathymetry and a Hycat Cruise in Northwest Creek;
- Microbial source tracking and a Hycat Cruise will occur at 2 locations in Hog Creek;
- The Lion Head ponds will be studied for toxic algal blooms;
- Coliform counts will be performed for inside Little Northwest Creek and immediately outside of the mouth in the bay;
- Sediment analysis will be performed in Little Northwest Creek beyond where the dredging culminated last year;
- Napeague Harbor will receive continued focus for all sampling.
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Jim Grimes made a motion to approve the proposal. Celia Josephson seconded the motion. Patrice Dalton asked for clarification as to whether the board has access to the data set, whether the Trustees own the data and whether Gobler would make the data available to PEP. Other members clarified that Gobler has been collecting the data

for ten years. Dalton clarified that she wanted to be sure that it is agreed the data belong to the Trustees and felt that if Gobler is putting the data into a database that he should specify with the board how he will be storing the data, the language which will be used so that the board can access/query the data as it desires. Dalton asked for clarification as to whether Gobler will be charging for subsequent analyses. Aldred clarified that if it is in the proposal and Gobler is proposing to do the work, he is proposing to do the work presented.

The board continued with a brief discussion and more tenured members of the board confirmed they have had questions in the past which Gobler was able to answer based on the data collected. The board agreed they could request clarification from Gobler regarding the concerns. The clerk stated there was a motion and a second on the table. The board unanimously approved the motion.

Jim Grimes updated the board regarding the Trustee participation in the Horseshoe Crab monitoring. Grimes went out with his wife and Ben Dollinger to count in Napeague Harbor. Notable findings from the count in Napeague Harbor included proportionally more female crabs than in years past and a count of 1,100 crabs in one night even with low visibility. Grimes thanked his wife for her assistance. John Aldred also shared the findings from Northwest. Tim Garneau and his wife counted on the first and third night while John Aldred counted on the second night. A Notable update from the Northwest counts include that the group divided their transect into thirds. They noted that one third of the walk is located within the inlet while the remaining two thirds are along the shoreline. Grimes offered that if any member of the public would like to participate as a citizen scientist, they are welcome call the office for more information.

John Aldred provided the board with an update regarding DEC regulations for cooling shellfish harvests. There is no permit requirement for recreationally harvesting shellfish from state waters and as such the state issued a new regulation which states that any catch must be kept in a shaded area, the catch cannot be left in standing water and the catch must be introduced to a cooler or refrigerator as soon as possible. The new regulation came about as there has been an increase in incidence *vibrio haemolyticus* and *vibrio vulnificus*.

John Aldred updated the board regarding the latest Aquaculture Lease Program of Suffolk County. The meeting was being held at the same time as this board meeting. Aldred summarized that the meeting addressed the lease requests and whether the leases would be granted.

### ***Harbor Management:***

The board received a request from Crescent Cruising Club of Niantic, CT to obtain a mooring for their members. John Aldred shared that they have an arrangement with Fischer's Island. Aldred shared that the Trustees already have a Transient mooring program which is contracted already. Aldred would feel more comfortable directing them to the current transient moorings through the marina. Jim Grimes agreed with Aldred and shared he is not comfortable providing an out of state entity with a mooring when there will be no one around to monitor or manage the mooring. The board generally agreed to direct the cruising club to the marina which currently manages the transient moorings.

### **The clerk transitioned to the administrative portion of the meeting:**

**Payment of bills:** The following bills need to be paid: Optimum - \$161.2. David Cataletto made a motion to pay the bills subject to the availability of Trustee funds. Bill Taylor seconded the motion and it was unanimously approved.

**Minutes:** The minutes of the meeting of March 11, 2024, April 8, 2024 & April 22, 2024, and the Special Meeting of April 29, 2024, were available for review. John Aldred shared he had reviewed the minutes. John

Aldred made a motion to approve the minutes. Jim Grimes seconded the motion and it was unanimously approved.

**Financials:** The financials for the month ending March 31, 2024 were available for review. The matter was tabled for further review.

**Report of the Clerk:**

The clerk brought up the matter of whether or not the Trustees should require a liability waiver for the pump out services. Francis Bock asked Chris Carillo is that is something the board should be requiring. Carillo said yes and that liability could be discussed offline.

David Cataletto announced that Saturday is National Water Safety Day and there will be an event at the Amagansett Lifesaving Station from 11 am to 2 pm.

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

**The meeting adjourned at 7:41 p.m.**