



**MEETING MINUTES OF SEPTEMBER 9, 2024**  
**OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY**  
**OF THE TOWN OF EAST HAMPTON**

Present: Francis Bock, Clerk  
Jim Grimes, Deputy Clerk  
Bill Taylor, Deputy Clerk  
John Aldred  
David Cataletto  
Patrice Dalton  
Ben Dollinger  
Tim Garneau  
Celia Josephson

Absent:

Present: Alyson Follenius, Trustee Secretary  
Arlene Tesar, Trustee Secretary  
Chris Carillo, Trustee General 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.

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

Eric Brown of Ackerman Partners, project attorney and Scott Dobriner, Lead Environmental Planner, of Inter-Science Associates, Inc approached the board again on behalf of Traumhaus 1, 75 West End Rd, and Traumhaus 2, LLC at 69 West End Rd with a request to reconstruct a contiguous rock revetment fronting on three properties. Dobriner provided a summary of the project which he and Brown presented to the board two years ago. There were no objections to the project at that time from that Trustee board. Dobriner also provided a timeline of the revetment, including when the structure was originally permitted. The revetment is in a state of disrepair. The project proposes to replace the revetment in the same footprint as currently exists. Several test excavations were completed to determine the structural integrity of the revetment. The results revealed the revetment is falling back on itself. Dobriner shared the project plans with the board and highlighted the project proposes building steps directly into the revetment for access down to the beach. Jim Grimes asked to clarify that the access will be a pedestrian only access. Brown shared with the board that they are in front of the board as a “shameless attempt to get the DEC to pay attention to the request.” Dobriner shared hard copies of their East Hampton Village Project Permit. Ben Dollinger questioned whether the team has heard from the DEC. Dobriner confirmed the DEC has

been taking time to provide their technical comments. The DEC is not fond of the proposed stairs as they felt it would interfere with the transport of sand to the east and west. The team feels that if they provide the DEC with the Village ZBA Permit and the Trustees' permit, they may gain traction with the DEC to move the application through the process. Patrie Dalton asked to return to the DEC's concerns and questioned whether the team has data or models which counter the DEC's concerns. In response, Jim Grimes shared additional information regarding the project application timeline and that the DEC staff are newer and tend to prefer proposals similar to what they have seen in the past. Francis Bock and Ben Dollinger questioned what material the stairs will be constructed with and if there will be sidewalls. Dobriner confirmed the stairs will be carved out of the granite stone. Dobriner requested that the board vote on it at this meeting so they may have additional documentation to provide to the DEC. Jim Grimes made a motion to approve the request. Celia Josephson seconded the motion, and it was unanimously approved. There was additional commentary regarding ensuring that the language of the permit contain information regarding the stairs providing access for first responders and safe access. Grimes confirmed with Trustee secretaries to note such in the permit language.

**The Clerk transitioned to New Business:**

John Aldred updated the board regarding Town Code changes to the opening of Scallop season in Town waters. The office received communication from one of the Town attorneys that Councilman David Lys is looking to modify the language of the Town Code regarding the dates of scallop season as there were conflicts in opening dates in the different water bodies within the town. Aldred communicated with the Town attorney and provided suggested language. Aldred read the Town Attorney's suggested language with the Board. The Language reads, *"Scallops may be taken during a specific period, the beginning of which shall be determined by Town Trustee resolution, the end of which shall be March 31<sup>st</sup>."* The language Aldred suggested was, *"scallops may be taken from sunrise on the first Sunday following the State opening date until sunset on March 31<sup>st</sup>."* Aldred explained this would eliminate the Board's (Trustee board) need to pass a resolution each year. Aldred asked for opinions from fellow board members. Patrice Dalton asked for clarification regarding the opening of the season on the Sunday after the state opening date. Aldred confirmed the State opening has been the first Monday in November for several years. The reason for opening the Sunday following the State opening date is because dredging of Scallops is prohibited on Sundays thus allowing an extra day for local harvest. John Aldred made a motion to recommend the language he provided. Patrice Daltons seconded the motion, and it was unanimously approved. Chris Carillo provided further clarification for the rationale behind delaying the opening and opening on a Sunday. Dredging of Scallops is prohibited on Sundays. Therefore, by opening the season on a Sunday, it allows those harvesting by hand an extra day ahead of commercial baymen who may be using a dredge to harvest the scallops.

**The Clerk transitioned to Old Business:**

John Aldred provided an update regarding the September 2, and September 3, 2024 mosquito larvae survey. Aldred went out to survey on the Monday and Celia Josephson went Tuesday. Very few larvae were found, and conditions were dry. As a result, the marsh was not treated. The next possible date will be Tuesday of next week. It will correspond with a full moon and the full mood tide will be the highest full mood tide this summer season. Vector Control does think the team will need to go our as the weather has cooled enough that it should be an issue. However, given the very high tide and a case of Eastern Equine Encephalitis west of town, the team may be asked to head back out. Patrice Dalton questioned whether the high tide would flush out the larvae. Aldred explained that the tide will flood marsh and allow water to enter the pools the eggs may be laid in. There may be more larvae as a result.

John Aldred provided an update regarding blue green algae blooms. On Aug. 28, 2024, there was a count of 399.5 (µg/L) in Wainscott Pond, 93.7 (µg/L) in Pond Lane Pond and 30.9 (µg/L) in Fort Pond South. Wainscott Pond registered counts of 494.1 (µg/L) on September 4, 2024.

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

### **Accabonac/ Hog Creek:**

The board received a follow-up request from Lisa Poyer of Twin Forks Permits to close out Trustee Permit A-1-23, issued to Steven Germain of 75 Waters Edge, SCTM#300-88-7-10, for bulkhead and revetment replacement. The clerk reminded the board that this was the project where the board sent a letter requiring the rebar be removed. Patrice Dalton explained that at first the agent responded to the letter saying rebar was not there. The agent came back and notified the board that the contractor used a water jet and was able to remove the rebar and provided photos showing such. The board had previously voted to approve the close-out subject the removal of the hazards.

### **Peconic Estuary Partnership:**

Patrice Dalton provided an update regarding Peconic Estuary Partnership. PEP held a stakeholder meeting to reinvigorate the project which has been on hold for several years. The biggest concern is to identify a site for the project which can be accessed via town owned properties. Several board members thought the site had already been identified and spent a few minutes discussing the two sites the board thought were on the list. Dalton clarified the site had not been confirmed as of yet. John Aldred shared that Dalton has the video recording of the meeting. Dalton will distribute to the full board. Dalton shared there was also a brief discussion during the meeting regarding using dredge material as fill on the marsh. Additional points of the meeting included PEPs concerns regarding the size of the culverts at Pussy's Pond and Teak Lane. Measurements of both culverts were taken and no data has been released yet. Aldred reminded the board that the culvert at Pussy's Pond is being reconstructed by the Town.

### **Largest Clam Contest:**

David Cataletto gave an announcement about the Largest Clam Contest at the Amagansett Life Saving Station on Aug. 29, 2024 from 12 pm – 3 pm. Patrice Dalton asked who the chowder judges were. Cataletto and Alyson Follenius confirmed the judges will be Hugh King, Ann Welker and Marie Valenti.

Jim Grimes addressed the matter of the graffiti on the Gerard Drive culvert. Francis Bock confirmed the board was made aware of it, but the culvert is a town structure. Grimes had a conversation with Steve Lynch. They determined that painting over the graffiti is the best course of action as you cannot remove paint from concrete. This will also allow for any future graffiti to be removed. The board will continue to discuss among themselves and with the Town.

Jim Grimes updated the board regarding the status of the Georgica Pond cut. The pond is currently closed. The pond remained opened longer than usual after the last opening. This caused a migration of the cut and there is a bit of a dog-leg on the beach creating a blank. Grimes would like to grade the beach in the very near future and also delay the opening of the cut until November. Francis Bock stressed that the board does not want to skip the traditional letting of the pond.

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

**Payment of bills:** East Hampton Marina - \$303.47 for fuel. Jim Grimes made a motion to pay the bills. Ben Dollinger seconded the motion, and it was unanimously approved.

**Minutes:** The minutes of the meetings of May 31, June 24, July 8 and July 22, 2024 were available for review. . David Cataletto made a motion to approve all of the minutes. Celia Josephson seconded the motion, and it was unanimously approved.

**Financials:** The financials ending June 30, 2024 were available for review. Patrice Dalton reviewed the minutes. Jim Grimes made a motion to accept the financials ending June 30, 2024. David Cataletto seconded the motion and it was unanimously approved.

**The Report of the Clerk:** Francis Bock informed the board that the 2023 Audit Report was received from Nawrocki Smith, CPA. Bock questioned whether the board members had reviewed the report. Patrice Dalton noted that if you read the report with the town's audit report it reads as an insert among the Town's overall report.

John Aldred has asked the researchers performing the Fisheries study to present during the meeting of Oct. 18, 2024.

John Aldred received a notice regarding a Horseshoe Crab workgroup meeting scheduled for Thursday. A few board members received the email but not the full board. There was a brief discussion regarding some confusion as the email was sent from PEP but CCE is the organization which monitors the horseshoe crabs. The meeting will be held at Suffolk Community College. Aldred brought up the matter as he was curious who received the email. Aldred will forward the email to the rest of the board. John Aldred asked whether the board had sent an email to the Governor regarding the Horseshoe Crab legislation. Patrice Dalton will give a call to Assemblyman Thiele's office for further details regarding who they should address the letter to. Aldred mentioned he had a conversation with a member of another environmental organization who asked what the collective opinion was of the board. Aldred shared his thoughts as to what the board should include in the letter.

David Cataletto mentioned he sits on the Nature Preserve committee and if the board ever had anything to bring up to that committee to let him know.

Jim Grimes made a motion to close the meeting. David Cataletto seconded the meeting

**The meeting closed at 7:22 p.m.**