



Regular Meeting of April 1, 2019

1:00 PM

Monday, April 1, 2019

1:00 PM

Town Hall - Town Board Room

I. Call to Order

1:00 PM Meeting called to order on April 1, 2019 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

II. Pledge of Allegiance

III. Roll Call

Attendee Name	Present	Absent	Late	Arrived
President Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Secretary-Treasurer Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trustee William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trustee Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trustee Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

IV. Next Trustee Meeting

Work Session: 4/10/2019 at 3:00 p.m.

Regular Meeting: 4/15/2019 at 1:00 p.m.

V. Minutes Acceptance

1. Regular Meeting April 18, 2016 1:00 PM
2. Regular Meeting March 18, 2019 1:00 PM

VI. Communications

Letter

Army Corps of Engineers Application of 951 Flying Point Road, LLC for a 4' X 14' ramp up to a 4' X 181' catwalk on Channel Pond in Mecox Bay.

VII. Executive Session – Litigation

VIII. Public Portion

IX. Applications for Permits

Board of Trustees hereby waive a public hearing on the following applications because it has been determined that the following projects do not raise a significant degree of public interest or public input is not needed to aid in the decision making process

Edward J. Warner Jr.

Trustees Resolution 2019-102

Category: General Permit - Trustees
Sponsors: Edward J. Warner, Jr.
Department: Trustees of the Freeholders
Applicant: Owner

Renewal Application (First) of Alan Sosne, Permit No. WRC00046, 5 Middle Pond Lane, Shinnecock Hills, New York (SCTM No. 0900-272-2-1) Body of Water: Middle Pond

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (FIRST)** of **ALAN SOSNE, PERMIT NO. WRC00046** originally authorized on May 9, 2017 for the reconstruction and reconfiguration of the existing dock structure; the new dock structures will consist of a 4' X 55' fixed elevated catwalk supported by sixteen (16) pilings, six (6") inches in diameter including two (2) 4' X 6' pass and re-pass steps; a 3' X 15' hinged ramp; a 6' X 20' floating dock secured by four (4) pilings, eight (8") inches in diameter; all hardware to be hot-dipped galvanized; all materials to be non-treated; all decking to be of an open grate design (i.e. ThruFlow Interlocking Panels or similar); a safety railing is proposed along one side of the catwalk. The existing rip-rap along the seaward face of the seawall and concrete remains below the dock are to be removed and taken to an approved upland location for deposit/recycling and any portions of the seawall that exhibit any minor structural damage are to be repaired; a ten (10') foot buffer to be established along the landward side of the seawall with native vegetation (i.e. American Beach Grass); upon removal of all rip rap and concrete remains, *Spartina spp.* to be planted in these areas (due to underwater soil conditions and wave energy, owner is not responsible for the success rate of these plantings) for the premises located at **5 Middle Pond Lane, Shinnecock Hills, New York (SCTM No. 0900-272-2-1)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-102					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Action	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Closed	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjourned					
<input type="checkbox"/> Acknowledged Signature					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					

Scott M. Horowitz

Trustees Resolution 2019-103

Category: Fish Trap/Fyke Permit
Sponsors: Scott Horowitz
Department: Trustees of the Freeholders

New Fish Trap/Fyke Location Applications of Michael DePerte Body of Water: East Shinnecock Bay

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; and

WHEREAS, the Fish Trap/Fyke Application of **MICHAEL DEPERTE** was received in the Trustees' Office on March 25, 2019 for four (4) **new** Fish Trap/Fyke Location Applications pursuant to Article V, Section 35 (C), which proposed Fish Trap/Fyke Applications are located in the waters of East Shinnecock Bay as follows:

1. Permit #332, southeast side, Latitude: 40.85959, Longitude: -72.45506
2. Permit #333, Cormorant Point, Latitude: 40.87523, Longitude: -72.49326
3. Permit #334, west of East Cut behind Sand Islands, Latitude: 40.85790, Longitude: -72.47890
4. Permit #335, Lenape Road, Latitude: 40.88049, Longitude: -72.47887; and

WHEREAS, the Southampton Town Bay Constables have reviewed the proposed Fish Trap/Fyke Applications and have recommended they be **APPROVED**; now therefore be it

RESOLVED, that pursuant to Article V (Fish pounds; fykes; traps; pots.), Section 35 of the Rules and Regulations for the Management and Products of Waters of the Town of Southampton, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby approves the **new** Fish Trap/Fyke Applications located in East Shinnecock Bay found by **MICHAEL DEPERTE** and grants the four (4) aforementioned Fish Trap/Fyke Permit Nos. 332, 333, 334 and 335 to **MICHAEL DEPERTE**.

✓ Vote Record - Trustees 2019-TRUS-103					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Action	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Closed	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjourned					
<input type="checkbox"/> Acknowledged Signature					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					

William Pell IV

Trustees Resolution 2019-104

Category: General Permit - Trustees
Sponsors: William Pell IV
Department: Trustees of the Freeholders
Applicant: Owner

Renewal Application (Second) of William C. Portney, 169 Shore Road, North Sea, New York (SCTM No. 0900-76-2-20) Body of Water: North Sea Harbor

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (SECOND) of WILLIAM C. PORTNEY PERMIT NO. FLD00015** originally issued on November 30, 2016 to construct a 4' X 24' catwalk with six (6) posts; a 6' X 20' floating dock with two (2) posts; and a 4' X 12' ramp for the premises located at **169 Shore Road, North Sea, New York (SCTM No. 0900-76-2-20)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-104					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted					
<input type="checkbox"/> Tabled					
<input type="checkbox"/> No Action					
<input type="checkbox"/> Closed					
<input type="checkbox"/> Reschedule					
<input type="checkbox"/> Adjourned					
<input type="checkbox"/> Acknowledged Signature					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Bruce A. Stafford

Trustees Resolution 2019-95

Category: Resolutions
Sponsors: Bruce A. Stafford
Department: Central Purchasing and Contracts Compliance

Authorize Purchase of Attachment for Skid Steer

History:
 03/18/19 Trustees of the Freeholders TABLED Next: 04/01/19

WHEREAS, the Trustees require a 72" Landplane attachment for the skid steer; and

WHEREAS, the Trustees have obtained a quote for chain from Clark Equipment Co dba Bobcat Company at a cost of \$1,640.08 using the NYS contract PC67141 Group 40625 Award PGB-22792; and

WHEREAS, Board of Trustees Resolution 2019-21, requires an authorizing resolution for any expenditure in excess of \$1,000; now therefore be it

RESOLVED, the Trustees authorize payment to Clark Equipment Co dba Bobcat Company and that the source of funding shall be G/L# SN-99-8790-00-6406-0000 in an amount not to exceed \$1,640.08.

Financial Impact:

The source of funding shall be G/L# SN-99-8791-00-6449-0000 in an amount not to exceed \$1,640.08.

✓ Vote Record - Trustees 2019-TRUS-95						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-105

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders
Applicant: First Coastal Corp., P.O. Box 1212, Westhampton Beach, New York 11978

Application of Redwood Anchorage Inc., 40 Redwood Road, Village of Sag Harbor, New York (SCTM No. 0903-01-03-19.1) Body of Water: Sag Harbor Cove

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the permit for **REDWOOD ANCHORAGE, INC.** to reconstruct in-kind/in-place 166’ of existing bulkhead using vinyl sheathing; no treated wood to be used; to establish a 10’ wide stone buffer area landward of bulkhead; to plant native species only in existing 6’ X 16’ planter for the premises located at **40 Redwood Road, Village of Sag Harbor, New York (SCTM No. 0903-01-03-19.1)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Village Code of the Village of Sag Harbor.

✓ Vote Record - Trustees 2019-TRUS-105						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-106

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders
Applicant: Peconic Environmental Associates, Inc., 21 South Main Street, Southampton, New York 11968

Renewal Application (Third) of 361 Dune Road LLC, Permit No. WRC00024, 361 Dune Road, Bridgehampton, New York (SCTM No. 0900-179-2-21.1)

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL (THIRD) OF WILLIAM RUDIN PERMIT NO. WRC00024** originally authorized on the subject property under Trustees Permit No. 10924 issued July 13, 2015 to Modify the Permit for the construction of a proposed walkway to be relocated to the eastern side of the property and the length of the structure is decreased from 146' to 87.5' and the dune restoration is no longer proposed for the premises located at **361 Dune Road, Bridgehampton, New York (SCTM No. 0900-179-2-21.1)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

No vehicles are allowed on the beach and the storage of any materials on the beach is prohibited.

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-106						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn		Yes/Aye	No/Nay	Abstain	Absent	
		Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Trustees Resolution 2019-107

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders
Applicant: Inter-Science Research Associates, Inc., P.O. Box 1201, Southampton, New York 11969

Renewal Application (Second) of 55 Ambleside LLC, 55 Ambleside Lane, Bridgehampton, New York (SCTM No. 0900-134-2-16.4) Body of Water: Sams Creek

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to

6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (SECOND)** of **55 AMBLESIDE LLC, PERMIT NO. PLT00001** originally issued on August 18, 2016 for *Common Reed* management, per the Design Narrative provided with the application, from 10' above the Mean High Water Mark into the surface waters of Sam's Creek for the purposes of restoring the shoreline wetlands vegetation. With regular management of the Common Reed, the native wetlands and buffer vegetation will return with *Marsh Hibiscus, Flat-topped Goldenrod, Switchgrass, Soft Rush* and other wetlands buffer. The native vegetation will begin to out-compete the non-native invasive *Common Reed, Japanese Knotweed, Mile-a-Minute Weed, Multiflora Rose, Tartarian* and *Japanese and Morrow's Honeysuckle*. All work to be performed by hand with removal of the *Common Reed* thatch to an approved upland disposal facility for the premises located at **55 Ambleside Lane, Bridgehampton, New York (SCTM No. 0900-134-2-18.4)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-107						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Closed	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Reschedule	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adjourned	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Acknowledged Signature	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Withdrawn						

Trustees Resolution 2019-108

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders
Applicant: First Coastal Corp., P.O. Box 1212, Westhampton Beach, New York 11978

Renewal Application (First) of Glover LLC, 14 Vitali Cilli Avenue, Village of Sag Harbor, New York (SCTM No. 0900-2-1-43) Body of Water: Upper Sag Harbor Cove

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (FIRST)** of **GLOVER LLC, PERMIT NO. FLH00004** originally authorized on May 18, 2018 to construct a 4' X 58' catwalk; a 3' X 12' ramp; a 6' X 20' float with two (2) 8" in diameter float-securing piles; the float to be secured to piles by galvanized steel hoops; the catwalk to be decked with open-grate decking; and no treated wood to be used for the premises located at **14 Vitali Cilli Avenue, Village of Sag Harbor, New York (SCTM No. 0900-2-1-43)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Village Code of the Village of Sag Harbor.

✓ Vote Record - Trustees 2019-TRUS-108					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Action	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Closed	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjourned					
<input type="checkbox"/> Acknowledged Signature					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					

Trustees Resolution 2019-109

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders
Applicant: First Coastal Corp., P.O. Box 1212, Westhampton Beach, New York 11978

Renewal Application (First) of HFP-FP LLC, 1100 Flying Point Road, Water Mill, New York (SCTM No. 0900-178-2-12.2) Body of Water: Atlantic Ocean

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (FIRST) of HFP-FP LLC, PERMIT NO. FEN00008** originally authorized on May 4, 2018 to perform dune restoration by placing up to approximately 2,500 cubic yards of clean, beach-compatible sand on an eroded dune; to plant beach grass 12" on center; the dune restoration will be performed after September 1, 2019 and before March 31, 2020; to install 225' of sand fence (1-2 rows); to install a 20' X 4' (80 square feet) temporary stairway in the spring to be removed by November 1, 2019. If the full dune restoration has not been performed, temporary stairs will be reinstalled before March 31, 2020 and removed before November 1, 2020; to install a 41' X 4' (164 square feet) permanent stairway in-kind and in-place after the full dune restoration project has been completed; and the Southampton Town Trustees will be notified seven (7) days prior to the commencement of work; no treated materials will be used; and stakes will be placed on the beach where fencing will be located for the premises located at **1100 Flying Point Road, Water Mill, New York (SCTM No. 0900-178-2-12.2)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-109						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-110

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders
Applicant: First Coastal Corp., P.O. Box 1212, Westhampton Beach, New York 11978

Renewal Application (First) of 561 Daniels Lane LLC, 1131 Flying Point Road, Water Mill, New York (SCTM No. 0900-178-2-14) Body of Water: Atlantic Ocean

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (FIRST) of 561 DANIELS LANE, LLC, PERMIT NO. DUN00014** originally authorized on May 4, 2018 to perform dune restoration by placing up to approximately 3,500 cubic yards of clean, beach-compatible sand on an eroded dune; to plant beach grass 12" on center; the dune restoration will be performed after September 1, 2019 and before March 31, 2020; to install 225' of sand fence (1-2 rows); to install a 20' X 4' (80 square feet) temporary stairway in the spring to be removed by November 1, 2019. If the full dune restoration has not been performed, temporary stairs will be reinstalled before March 31, 2020 and removed before November 1, 2020; to install a 41' X 4' (164 square feet) permanent stairway in-kind and in-place after the full dune restoration project has been completed; and the Southampton Town Trustees will be notified seven (7) days prior to the commencement of work; no treated materials will be used; and stakes will be placed on the beach where fencing will be located for the premises located at **1131 Flying Point Road, Water Mill, New York (SCTM No. 0900-178-2-14)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-110						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-111

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders
Applicant: First Coastal Corp., P.O. Box 1212, Westhampton Beach, New York 11978

Renewal Application (First) of Sarah and Izak Senbahar, 1141 Flying Point Road, Water Mill, New York (SCTM: 0900-178-2-15) Body of Water: Atlantic Ocean

WHEREAS, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **RENEWAL PERMIT (FIRST) of SARAH AND IZAK SENBAHAR, PERMIT NO. STP00010** originally authorized on May 4, 2018 to perform dune restoration by placing up to approximately 3,500 cubic yards of clean, beach-compatible sand on an eroded dune; to plant beach grass 12" on center; the dune restoration will be performed after September 1, 2019 and before March 31, 2020; to install 99' of sand fence (1-2 rows); to install a 20' X 4' temporary stairway in the spring to be removed by November 1, 2019. If the full dune restoration has not been performed, temporary stairs will be reinstalled before March 31, 2020 and removed before November 1, 2020; to install an 80' X 4' permanent stairway to be installed after the full dune restoration project has been completed; and the Southampton Town Trustees will be notified seven (7) days prior to the commencement of work; no treated materials; and stakes will be placed on the beach where fencing will be located for the premises located at **1141 Flying Point Road, Water Mill, New York (SCTM No. 0900-178-2-15)**; and be it

FURTHER RESOLVED, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2019-TRUS-111						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-112

Category: Waterfowl Hunting Location Permit
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders

Resolution Granting Relief from Waterfowl Hunting Section 38(C)(18) for Duck Blinds Located in Mecox Bay

WHEREAS, the Board of Trustees find that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; and

WHEREAS, Article V (Waterfowl Hunting), Section 38(C)(18) states that "a duck blind located in Mecox Bay must be removed from Mecox Bay (not including tributaries) no later than April 1..."; and

WHEREAS, due to the low water levels currently existing in Mecox Bay, the registered Waterfowl Hunting Location Permit holders in the Bay are unable to remove their duck blinds prior to the April 1st deadline; now therefore be it

RESOLVED, that at the Board of Trustees hereby grants an extension to the registered blind holders in Mecox Bay to remove their duck blinds by May 1st thereby allowing the water level to rise in Mecox Bay in order that these duck blinds may then be removed; and be it further

RESOLVED, that in the interim, the registered blind holders in Mecox Bay, shall place a secured blue tarp over the top of their duck blinds which will discourage any birds from nesting on top of the blinds.

✓ Vote Record - Trustees 2019-TRUS-112						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn		Yes/Aye	No/Nay	Abstain	Absent	
		Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

X. Resolutions

Trustees Resolution 2019-113

Category: Budget & Finance - Trustees
Sponsors: Edward J. Warner, Jr.
Department: Trustees of the Freeholders

Warrant #5 of 2019 - Trustees

RESOLVED, per the recommendation and reviewed by the Town Comptroller, the following vendor payment warrant dated be approved in the amount of:

Warrant #5 \$6,317.19

Two manual checks, one in the amount of \$1,645.57 was made to Bridgehampton National Bank for payment of the Trustees' credit card and the second manual check in the amount of \$5,000.00 was made to the East Hampton Town Trustees for the donations toward the Sag Harbor Water Quality Initiative; and

BE IT FURTHER RESOLVED, the Town Comptroller is directed to approve and execute all bank wire transfers required to fund payments associated with Warrant #5 of 2019.

✓ Vote Record - Trustees 2019-TRUS-113					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Action	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Closed	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjourned					
<input type="checkbox"/> Acknowledged Signature					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					

Trustees Resolution 2019-114

Category: General Misc
Sponsors: Edward J. Warner, Jr.
Department: Trustees of the Freeholders

Authorize Mechanical Closure of Mecox Bay Cut

WHEREAS, the Board of Trustees are owners of the land commonly known as the Mecox Bay; and

WHEREAS, the Trustees have received emergency authorization from the New York State Department of Environmental Conservation (DEC) and the U.S. Army Corps of Engineers to open Mecox Bay to the ocean; and

WHEREAS, the laws of New York in 1892 and 1907 provide the Trustees with the authority to open an inlet from the ocean into Shinnecock Bay or Mecox Bay as necessary; and

WHEREAS, Chesterfield Associates, Inc. holds the Suffolk County Contract to Furnish Construction Equipment in Connection with Dredging; and

WHEREAS, when goods procured from a valid State/County or Legal Applicable Federal and Cooperative Entities, a contract exceeding the mandatory bidding threshold (i.e.: \$20,000 goods), a resolution authorizing the purchase must be submitted and approved; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the Trustees to have Chesterfield Associates, Inc., using the aforementioned Suffolk County contract to mechanically close the inlet from the ocean to Mecox Bay no later than April 5, 2019.

✓ Vote Record - Trustees 2019-TRUS-114							
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent	
	Edward J. Warner Jr.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-115

Category: General Permit - Trustees
Sponsors: Bruce A. Stafford
Department: Trustees of the Freeholders

Authorize the President to Sign a License Agreement with Global Boarding LLC

WHEREAS, the Board of Trustees are the owners of a ramp and dock located at: 53 Pine Neck Avenue, Noyac, in the Town of Southampton, Suffolk County, State of New York (SCTM No. 0900-5-1-13.1) (hereinafter "Pine Neck Avenue Ramp and Dock"); and

WHEREAS, **GLOBAL BOARDING, LLC** has requested a license to use the Trustees' Pine Neck Avenue Ramp and Dock in order to provide access to the water for waterski, wakeboard and board surfing instruction to visitors and local residents; and

WHEREAS, the Board of Trustees are willing to grant the use of such dock and ramp subject to the terms and conditions of a license agreement for a term beginning on May 1, 2019 and ending on October 1, 2019; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the President to enter into a license agreement with **GLOBAL BOARDING, LLC** for the use of the dock and ramp located at 53 Pine Neck Avenue, Noyac for a term beginning on May 1, 2019 and ending on October 1, 2019 for the purposes of providing access to the water for waterski, wakeboard and board surfing instruction to visitors and local residents.

✓ Vote Record - Trustees 2019-TRUS-115							
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent	
	Edward J. Warner Jr.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-116

Category: Budget & Finance
Sponsors: William Pell IV
Department: Trustees of the Freeholders

Authorize 2018 Lake Agawam Refund To The Bathing Corporation of Southampton

WHEREAS, Board of Trustees are the owners of a parcel of land comprising a parking lot along

the southerly shore of Lake Agawam in the Village of Southampton for which the Trustees sell various parking permits in order for residents and non-residents to park in the Trustees' lot; and

WHEREAS, The Bathing Corporation of Southampton wishes to buy multiple Lake Agawam parking permits on behalf of its members; now therefore be it

RESOLVED, The Board of Trustees grants permission for the Bathing Corporation of Southampton to buy multiple Seasonal Nonresident, and Daily permits for Lake Agawam, in accordance with the 2019 Fee Schedule; and be it further

RESOLVED, there shall be no refunds for any Lake Agawam permits once issued.

✓ Vote Record - Trustees 2019-TRUS-116					
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-117

Category: Budget & Finance
Sponsors: Edward J. Warner, Jr.
Department: Trustees of the Freeholders

Authorize Payment of Legal Services to Joseph Lombardo

WHEREAS, Board of Trustees Resolution 2019-21, requires an authorizing resolution for any expenditure in excess of \$1,000; and

WHEREAS, The Southampton Town Trustees wish to continue to retain legal services by Joseph Lombardo; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes payment for legal services to Joseph Lombardo in the amount of \$1,600.00 representing payment due on matters related to *Brookhaven Baymen v. Town Trustees* (Index No. 4244/09).

✓ Vote Record - Trustees 2019-TRUS-117					
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-118

Category: Budget & Finance - Trustees
Sponsors: Edward J. Warner, Jr.
Department: Trustees of the Freeholders

Retain the Legal Services of Joseph Lombardo, Esq. in Strough v Village of West Hampton Dunes, et. al.

BE IT RESOLVED, that the Board of Trustees hereby retain the legal services of Joseph Lombardo, Esq. in *Strough v Village of West Hampton Dunes, et. al.*, at the hourly rates of:

\$250 per hour for court appearances;
 a fee of \$2,000 per day while conducting the trial; and
 \$50 per hour for trial preparation.

✓ Vote Record - Trustees 2019-TRUS-118						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Trustees Resolution 2019-119

Category: Local Laws - Trustees
Sponsors: Edward J. Warner, Jr.
Department: Trustees of the Freeholders

Notice of Adoption to Amend Article V Section 36 (Moorings)

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton is considering amending the Rules and Regulations for Management and Products of the Waters of the Town of Southampton (the "Blue Book") by amending Article V General Provisions, Section 36 (Moorings) in order to permit the use of pyramid anchors as an acceptable anchor type for moorings; and

WHEREAS, a public hearing was held on August 20, 2018, at which time any and all persons either for or against the amendment were heard; and

WHEREAS, a resolution for the notice of adoption for the proposed amendment has not been previously voted on by the Trustees; therefore be it

RESOLVED, that Article V General Provisions, Section 36 (Moorings) of the Rules and Regulations for Management and Products of the Waters of the Town of Southampton is hereby adopted as follows:

SECTION 1. - Legislative Intent.

Mushroom anchors are currently the only type of anchor approved in Section 36 of Article V of the Rules and Regulations for the Management and Products of the Waters of the Town of

Southampton. It has come to the attention of the Trustees that shortages of mushroom anchors have prevented mooring permit holders from installing their mooring and from being able to use their vessels. The Trustees and the Bay Constables have deemed that pyramid anchors are an acceptable mooring system and that mooring permit holders should be allowed to use them for their moorings.

SECTION 2. - Amendment.

Article V, Section 36 of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton is hereby amended by deleting the stricken words and adding the underlined words as follows:

Article V. General Provisions

§36. Moorings.

- A. No mooring, spile or structure shall be placed in Town waters unless duly authorized by written permission of the Town Trustees. Permission shall be granted only to residents, taxpayers, freeholders and temporary residents. Permits for the installation of a mooring, spile or structure shall be granted to governmental authorities at the discretion of the Trustees.
- B. All permits issued for boat moorings are issued under the supervision of the Bay Constables and are good only for the person to whom issued and for the boat described on the permit. The permit number must be placed on the mooring.
- C. Permit fees for moorings shall be established by a resolution duly adopted by the Board of Trustees. Permits for moorings are as follows:
 - (1) General moorings:
 - (a) Three-year permit for residents and taxpayers.
 - (b) One-year permit for temporary residents.
 - (c) One-year permit for commercial/aquaculture (residents only).
 - (2) PWC float moorings:
 - (a) Three-year permit for residents and taxpayers.
 - (b) One-year permit for temporary residents.
- D. Moorings shall be removed during the period of December 1 to April 1 (except aquaculture moorings). Any moorings not removed by December 1 may be removed by or at the direction of the Trustees or any duly authorized officer or agent thereof or by a Bay Constable or the Town, at the expense of the owner or person in charge of said mooring. The minimum fee for removal and impounding is \$250.
- E. Moorings shall not be installed prior to April 1 unless special written permission has been obtained in writing from the Bay Constables.
- F. No iron posts, engine blocks, cement blocks, etc., are allowed. Moorings must be either wooden stakes or a mushroom anchor or pyramid anchor of a weight prescribed by the

Bay Constable.

- G. No mooring shall be issued for any vessel in excess of 26 feet on any creek, pond, bay or harbor on Peconic Bay Estuary, except in special cases allowed by the Trustees for an aquaculture vessel.
- H. In congested areas (i.e., Red Creek, Mill Creek, Noyack Creek and Wooley Pond), if mooring(s) is (are) not in and used by July 4th weekend, the mooring permit will be canceled at the discretion of the Town Trustees.
- I. Any person who has had his or her mooring permit revoked or canceled pursuant to Trustee regulations shall not be allowed to place his or her name or the name of any other person occupying the same residence on the waiting list for any of the "wait list areas" for three years following said revocation.
- J. Only one mooring permit will be issued per household for moorings in "wait list areas." This will not prohibit permit holders from keeping a second smaller tender or dinghy on a stake mooring adjacent to the beach area for the sole purpose of accessing their primary mooring.
- K. If said permit is canceled and/or revoked by the Town Trustees, the fees paid are not refundable.
- L. Wooley Pond stake moorings installed and maintained by the Little Peconic Yacht Club are also subject to the following additional regulations:
 - (1) Residents only. These six stake moorings will only be available to resident/taxpayers who are also members of the LPYC. Proof of residency and LPYC membership is required.
 - (2) Each applicant must submit his or her own application, in his or her own name, along with proof of residency and boat registration. The regular mooring application fee shall apply.
 - (3) Due to the limited number of stake moorings, there shall be only one stake mooring per residential property, which includes corporations with multiple owners, such as LLCs. Additional owners may apply for a regular mushroom anchor or pyramid anchor -mooring permit.
 - (4) Boats on pole (stake) moorings shall be limited in size to 23 feet and under, due to shallow water.
- M. Noyack Creek stake moorings, at the foot of Maple Lane, are also subject to the following additional regulations:
 - (1) Residents only. Stake moorings will be available to resident/taxpayers only. Proof of residency is required.
 - (2) Each applicant must submit his or her own application, in his or her own name, along with proof of residency and boat registration. The regular mooring application fee shall apply.
 - (3) Stake size is limited to a maximum of four inches by four inches, untreated lumber only.

- (4) Maximum number of mooring stakes permitted in Noyack Creek is seven.
 - (5) Due to the limited number of stake moorings, there shall be only one stake mooring permitted per residential property, which includes LLCs, corporate owners or multiple owners. Additional owners are permitted to apply for a regular mushroom anchor or pyramid anchor - mooring permit.
 - (6) Boats on pole (stake) moorings shall be limited to 16 feet and under in size, due to shallow water.
- N. Any mooring permit holder in any of the "wait list areas" is required to notify the Bay Constable if his or her vessel is not placed on his or her mooring as required by Subsection H of this section or if his or her vessel is removed from the mooring prior to Labor Day. Reasons given for such nonplacement or early removal will be considered by the Trustees, who may cancel said permit at their discretion. Failure to make the above-described notification shall be grounds for permit ~~cancellation~~ cancellation.
- O. The following rules apply to personal watercraft float moorings:
- (1) There shall be only one personal watercraft per mooring permitted.
 - (2) There shall be permitted only one personal watercraft per personal watercraft float. Multiple personal watercraft floats are not allowed.
 - (3) Personal watercraft floats shall be stabilized like any other mooring, with one single mushroom anchor or pyramid anchor, which shall be deemed adequate by the Bay Constable. [The use of piles/poles/pipes is not allowed.]
 - (4) Personal watercraft floats must be equipped with a hand-crank winch to pull the personal watercraft up onto the float.
 - (5) Personal watercraft floats are limited in size to a maximum of six feet by 14 feet.
 - (6) The mooring permit number must be displayed on the float, utilizing contrasting numbers and letters.
- P. The following rules apply to commercial/aquaculture moorings (residents only):
- (1) No mooring, spile or structure shall be placed in Town waters unless duly authorized by written permission of the Trustees. Permission shall be granted only to residents, taxpayers, freeholders and temporary residents. Permits for the installation of a mooring, spile or structure shall be granted to governmental authorities at the discretion of the Trustees.
 - (2) All permits issued for boat moorings are issued under the supervision of the Bay Constables and are good only for the person to whom issued and for the boat described on the permit. The permit number must be placed on the mooring.
 - (3) Fees for commercial/aquaculture moorings shall be established by a resolution duly adopted by the Board of Trustees.
 - (4) Mooring must be a mushroom anchor or pyramid anchor of a weight prescribed by the Bay Constables.

- (5) No commercial/aquaculture mooring shall be issued for any vessel in excess of 40 feet maximum.
- (6) The Town Trustees reserve the right to cancel or revoke the mooring permit at any time, at the discretion of the Trustees.
- (7) If said permit is canceled, and/or revoked by Town Trustees, the fees paid are not refundable.
- (8) There shall be no aquaculture activities in Cold Spring Pond on Sundays between Memorial Day and Labor Day of each year, including the repairing of aquaculture vessels.

Section 3. - Authority.

The Trustees are authorized to establish and promulgate rules and regulations for the management and products of the waters of the Town of Southampton pursuant to the Dongan Patent of 1686.

Section 4. - Severability.

If any section or sub-section, paragraph, clause, phrase or provision of this regulation shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this regulation as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

Section 5. - Effective Date.

This regulation shall take effect upon passing by a majority vote of the Trustees;

AND BE IT FURTHER RESOLVED, that the following Notice of Public Hearing is hereby authorized to be published:

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that a public hearing was held by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton on August 20, 2018, and the Board of Trustees at its meeting of April 1, 2019 adopted an amendment to The Rules and Regulations for Management and Products of the Waters of the Town of Southampton ("Blue Book"), Article V General Provisions, Section 36 (Mooring) in order to permit the use of pyramid anchors as an acceptable anchor type for mooring.

Copies of the proposed amendments are on file in the Trustee's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE BOARD OF TRUSTEES
OF THE FREEHOLDERS AND COMMONALTY
TOWN OF SOUTHAMPTON, NEW YORK
EDWARD J. WARNER, JR., PRESIDENT

✓ Vote Record - Trustees 2019-TRUS-119					
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XI. Closing