



# Regular Meeting of June 3, 2019

## 1:00 PM

**Monday, June 3, 2019** **1:00 PM** **Town Hall - Town Board Room**

### ***I. Call to Order***

1:00 PM Meeting called to order on June 3, 2019 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

### ***II. Pledge of Allegiance***

### ***III. Roll Call***

<b>Attendee Name</b>	<b>Present</b>	<b>Absent</b>	<b>Late</b>	<b>Arrived</b>
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: June 12, 2019 at 3:00 p.m.  
Regular Meeting: June 17, 2019 at 1:00 p.m.

### ***V. Minutes Acceptance***

Regular Meeting May 20, 2019 1:00 PM

### ***VI. Communications***

#### ***Letters***

U.S. Army Corps of Engineers:

1. Application of 95 Crescent LLC to construct a 4' X 48' fixed pier leading to a 3.5' X 15' long hinged ramp, leading to a 6' X 20' float in an "L" configuration, moored by two (2) 6" diameter piles at Sag Harbor Cove.
2. Application of Bay Partners LLC to construct a 4' X 160' fixed pier and two (2) mooring piles at Sag Harbor Bay.
3. Application of John Suydam to expand an approximately 3' X 5' platform to a 4' X 5' at Little Peconic Bay, Noyac.
4. Application of Sims Lansing to install a new catwalk 4' X 52', a fixed drop platform 4' X 6', dinghy sling 4' X 14' located on the south side of the catwalk at Heady Creek, a tributary of Shinnecock Bay.

## VII. Public Hearings

1. **Public Hearing to Consider Changing the Name of Canoe Place Road Located East of the Shinnecock Canal to Old Canoe Place Road and Changing the Name of Canoe Place Road Located East of Hill Station Road to Old Canoe Place Road East**

✓ Vote Record - Motion						
<input type="checkbox"/> Adjourned <input type="checkbox"/> Closed			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"/>

2. **Public Hearing to Amend Article XII. Beach Regulations and 4 x 4 Beach Driving**

✓ Vote Record - Motion						
<input type="checkbox"/> Adjourned <input type="checkbox"/> Closed			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"/>

3. **Public Hearing on Revocation of Waterfowl Hunting Location Permit #281 - William Becker**

✓ Vote Record - Motion						
<input type="checkbox"/> Adjourned <input type="checkbox"/> Closed			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"/>

## 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 2019-186**

**Category:** General Permit - Trustees

**Sponsors:** Edward J. Warner, Jr.

**Department:** Trustees of the Freeholders

**Applicant:** Glenn Just, JMO Environmental Consulting, P.O. Box 447, Quogue, New York 11959-0447

**Application of Dennis and Doreen Farrell, 6 Cedar Drive, Hampton Bays, New York (SCTM No. 0900-269-01-47.1) Body of Water: 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; 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 of **DENNIS AND DOREEN FARRELL** to construct a 4' x 25' fixed dock utilizing "Thru-Flow" decking and a ladder on the seaward end for the premises located at **6 Cedar Drive Hampton Bays, New York (SCTM No. 0900-269-01-47.1)**; 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.**

✓ <b>Vote Record - Trustees 2019-TRUS-186</b>						
<input type="checkbox"/> Adopted			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input type="checkbox"/> Tabled		Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Action		Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Closed		William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule		Bruce A. Stafford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjourned		Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Acknowledged Signature						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Withdrawn						

**Trustees Resolution 2019-187**

**Category:** General Permit - Trustees  
**Sponsors:** Edward J. Warner, Jr.  
**Department:** Trustees of the Freeholders  
**Applicant:** Susanna Hermann, En-Consultants, 1319 North Sea Road, Southampton, New York 11968

**Application of Janice Accordino, 8 Rowland Court, Hampton Bays, New York (SCTM No. 0900-324-3-4) Body of Water: 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; 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 of **JANICE ACCORDINO** to construct a 4' x 135' catwalk supported by 8" diameter posts, with two (2) 4' x 5' steps up and over catwalk for pedestrian passage; and a ladder at the end; all decking to be open-grate; all wood to be untreated; to remove the remains of the old dock, all as shown on plans by En-Consultants dated August 24, 2018 for the premises located at **8 Rowland Court, Hampton Bays, New York (SCTM No. 0900-324-3-4)**; 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.**

✓ <b>Vote Record - Trustees 2019-TRUS-187</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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 2019-188**

**Category:** General Permit - Trustees  
**Sponsors:** Edward J. Warner, Jr.  
**Department:** Trustees of the Freeholders  
**Applicant:** Agena Rigdon, DKR Shores Inc., P.O. Box 488, Hampton Bays, New York 11946

**Application of 2 Peconic Crescent, LLC, 2 Peconic Crescent, Shinnecock Hills, New York (SCTM No. 0900-191-04-11) Body of Water: Cold Spring 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 Permit of **2 PECONIC CRESCENT, LLC** to reconstruct an existing navy bulkhead sections consisting of a 29.5', 8.9' sections owned by 2 Peconic Crescent LLC; to provide a new 26' vinyl return with property line; the new bulkhead shall be constructed utilizing vinyl sheathing of ESP (TYP) vinyl series 4.1; to install a set of 3' x 12' removable seasonal steps to access beach (parallel to bulkhead); to backfill structure with 35 cubic yards of clean sand trucked in from an upland source; and to establish a 10' natural vegetative buffer; the project is located at Cold Spring (Inlet), Town of Southampton Suffolk County New York for the premises located at **2 Peconic Crescent, Shinnecock Hills, New York (SCTM No. 0900-191-04-11)**; 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.**

✓ <b>Vote Record - Trustees 2019-TRUS-188</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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"/>

**Scott M. Horowitz**

**Trustees Resolution 2019-189**

**Category:** General Permit - Trustees  
**Sponsors:** Scott Horowitz  
**Department:** Trustees of the Freeholders  
**Applicant:** JMO Environmental Consulting, Glenn E. Just, PO Box 447, Quogue, New York 11959

**Application of Jeffrey A. Adams, 26 Weesuck Avenue, East Quogue, New York (SCTM No. 0900-342-02-041.003) Body of Water: Weesuck 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 Permit of **JEFFREY A. ADAMS** for the replacement of a storm damaged 5’ x 20’ float dock and pile, utilizing untreated material, attached to an existing 5’ x 40’ float which had been approved under Trustees Permit No. 5031, which was issued on August 3, 1987 for the premises located at **26 Weesuck Avenue, East Quogue, New York (SCTM No. 0900-342-02-041.003);** 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.**

✓ <b>Vote Record - Trustees 2019-TRUS-189</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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 2019-190**

**Category:** General Permit - Trustees  
**Sponsors:** Bruce A. Stafford  
**Department:** Trustees of the Freeholders  
**Applicant:** En-Consultants, 1319 North Sea Road, Southampton, New York 11968

**Modification of Permit No. GP000063, Daniel Levene, 55 Coves End Lane, North Haven, New York (SCTM No. 0901-6-2-51) 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 **MODIFICATION OF PERMIT NO. GP000063 (DANIEL LEVENE)** to construct a dock consisting of 4' X 6' steps up to a 4' X 5' catwalk with open grate decking with 60% open space, supported by a 6' X 6' post; two (2) sets of 4' X 5' access steps over the catwalk; a 3' X 12' ramp; and a 6' X 20' float supported by two (2) 8" diameter piles, all as shown on the plans by En-Consultants dated April 18, 2019. All wood to be non-treated for the premises located at **55 Coves End Lane, North Haven, New York (SCTM No. 0901-6-2-51)**; 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-190						
		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"/>
<input type="checkbox"/> Reschedule	Scott M. Horowitz	<input type="checkbox"/>	<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"/>
<input type="checkbox"/> Acknowledged Signature	Bruce A. Stafford	<input type="checkbox"/>	<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"/>
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Withdrawn						

**Trustees Resolution 2019-191**

**Category:** General Permit - Trustees  
**Sponsors:** Bruce A. Stafford  
**Department:** Trustees of the Freeholders  
**Applicant:** Costello Marine Contracting Corp., Jane P. Costello, PO Box 2124, Greenport, New York 11944

**Application of Erick and Alyssa Goralski, 21 Munchogue Drive, Noyac, New York (SCTM No. 0900-4-3-46.1) Body of Water: Mill 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 Permit of **ERICK AND ALYSSA GORALSKI** for the removal of 114’ of existing face bulkhead and a 4’ wide wood walkway; to remove the existing west bulkhead return and fence; to construct 114’ of new face bulkhead in-place raising top elevation +18”; to construct 45’ of new west bulkhead return and 12’ of new east bulkhead return; to fill void area landward of new bulkhead with clean trucked in fill (approximately 140 cubic yards); to regrade area to plant a naturally vegetated wetland non-disturbance, non-fertilization buffer as required by Wetlands Permit No. CB18064 for the premises located at **21 Munchogue Drive, Noyac, New York (SCTM No. 0900-4-3-46.1)**; 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-191					
		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					

**Ann Welker**

**Trustees Resolution 2019-192**

**Category:** General Permit - Trustees  
**Sponsors:** Ann E. Welker  
**Department:** Trustees of the Freeholders  
**Applicant:** JMO Environmental Consulting, Glenn E. Just, PO Box 447, Quogue, New York 11959

**Application of Double Access Partners LLC, 266 Dune Road., Westhampton Beach, New York (SCTM No. 0905-019-06-08) Body of Water: Moriches 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; 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 of **DOUBLE ACCESS PARTNERS LLC** for the reconstruction in place and up to 18” higher in elevation +/-172’ of smooth faced timber bulkhead and a 27’ return with a navy style vinyl bulkhead; to backfill the structure with +/-50 cubic yards of clean sand to be trucked in from an upland source; to reconstruct in kind and in place 4’ x 15’ (608 square feet) of timber boardwalk; to reconstruct in kind and in place an existing 15’ x 27’ (405 square feet) timber deck which is connected to the bulkhead; to temporarily remove the existing 138’ long by various width rock splash pad, which will be reinstalled after the bulkhead is reconstructed; and no tidal wetlands vegetation will be disturbed for the premises located at **266 Dune Road, Westhampton Beach, New York (SCTM No. 0905-019-06-08)**; 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.**

✓ <b>Vote Record - Trustees 2019-TRUS-192</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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 2019-193

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

#### Warrant #9 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 #9 \$81,920.76

BE IT FURTHER RESOLVED, the Town Comptroller is directed to approve and execute all bank wire transfers required to fund payments associated with Warrant #9 of 2019.

✓ <b>Vote Record - Trustees 2019-TRUS-193</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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 2019-194

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

#### Notice of Adoption Amending Article XII (Beach Regulations and 4 x 4 Beach Driving)

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton is considering amending the Rules and Regulations of for the Management and



Products of the Waters of the Town of Southampton Article XII (Beach Regulations and 4 x 4 Beach Driving) in order to prohibit certain activities that impair the public's right of access and the right to pass and repass on the bay and ocean beaches in the Town of Southampton; and

WHEREAS, a public hearing was held on June 3, 2019, at which time any and all persons either for or against the amendment were heard; now therefore be it

RESOLVED, that Article XII (Beach Regulations and 4 x 4 Beach Driving) 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.**

It has come to the attention of the Trustees certain activities have been taking place on the beaches within the Town of Southampton that impair the public's enjoyment and right of access and the right to pass and repass on bay and ocean beaches. Specifically, the proposed amendments prohibit activities that prevent or impair the right of pass and repass between the high and low water marks of bay and ocean beaches, prohibit activities that impair the right of pass and repass and the leaving of items overnight within easements held by the Trustees without the prior approval of the Trustees, and prohibit the unregulated chaining or fastening of vessels and flotation devices to stairs, retaining walls, fences, or bulkheads located at Town or Trustee road ends without prior permission of the Trustees.

**SECTION 2. - Amendment.**

Article XII 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 XII. Beach Regulations and 4 x 4 Beach Driving**

**§ 63. 4 x 4 beach driving.**

- A. It shall be unlawful outside the incorporated villages for any person to drive or operate a motor vehicle on bay beach areas or ocean beach areas between the Friday immediately preceding Memorial Day and the 15th day of September in each year between 9:00 a.m. and 6:00 p.m. except for areas specifically designated by resolution of the Trustees for daytime use. Notwithstanding the foregoing, no vehicles shall be allowed on Foster Memorial Beach (commonly known as Long Beach, Noyack) at any time from May 15 to September 14 at 12:00 midnight. [Note: Exceptions in Subsections J, K, L and M.] 4 x 4 beach driving within the incorporated village areas shall be regulated in accordance with legislation promulgated by the incorporated villages. [Amended 2-24-2016]
- B. No person shall drive or operate a motor vehicle on bay beach areas or ocean beach areas outside of the incorporated villages unless said vehicle is registered and unless the driver or operator is covered by a liability insurance policy equivalent to that required by the State of New York for the operation of a motor vehicle upon public highways and unless said vehicle displays a resident ID on the front bumper to operate said motor vehicle in said area from the Town Trustees. Such resident ID shall be issued by the Trustees upon application, if the applicant possesses a valid license to operate a motor vehicle on public highways and executes an affidavit that said vehicle contains the following equipment: jack, jack board, tow chain or rope, air-pressure gauge, tire inflation device and shovel. Resident IDs will only be issued to four-wheel-drive vehicles. Resident IDs will expire on December 31 of the calendar year of issue. The fee for said

permit shall be established by a resolution duly adopted by the Board of Trustees.

- C. No person shall drive or operate a motor vehicle on bay beach areas or ocean beach areas unless said vehicle is equipped as prescribed in the foregoing subsection.
- D. No person shall drive or operate a motor vehicle in excess of 10 miles per hour on any beach areas or ocean beach areas within the Town.
- E. No person shall drive or operate any all-terrain vehicle (ATV) (including quads, Mules, Gators) or motorcycle at any time on any bay beach areas or ocean beach areas within the Town.
- F. No person shall drive or operate a motor vehicle on any dunes, beach grasses or wetlands vegetation of any kind.
- G. The Town Trustees reserve the right to temporarily close any beach areas or any part thereof to vehicular traffic during periods of severe beach erosion or for any other reason that they deem necessary. Signs will be posted in conspicuous access areas to advise the public of the location and duration of any temporary closure.
- H. No person shall display or use a four-wheel-drive vehicle permit unless said permit properly applies to the vehicle owner's residency status at the time of said use and is displayed only on the vehicle for which it was issued.
- I. In addition to other penalties provided herein, any person to whom a permit has been issued who violates a provision of Subsection A, B, C, D, E, F, G, or H shall have said permit revoked when it is legally determined that any subsection has been violated. If such violation is the first violation of this section, such person shall be eligible to apply for, purchase, and receive a new permit. A person shall not be eligible for issuance of a permit if he or she ~~had~~ has twice violated the provisions of this section within one year from the date of application.
- J. The provisions of this section shall not apply to Town, county, or state employees or contractors working under the direction or supervision of the Town, or emergency vehicles.
- K. The provisions of Subsection A shall not apply to a commercial fisherman holding a valid New York State Department of Environmental Conservation resident marine commercial food fish fishing license actively engaged in a commercial fishing activity. All other restrictions shall apply.
- L. Nothing contained in this article shall prevent the launching or retrieval of boats from the terminus of the Town or Trustees' roads, except as provided in Article XIV.
- M. Special daytime use areas. Daytime 4 x 4 access beach driving and parking are permitted in the following areas:
  - (1) Peconic Bay access: At the foot of Cold Spring Road, beach parking is allowed in a section extending 300 feet east of road to boulder, as indicated by a sign. Access shall only be from Cold Spring Road.

§ 64. **Public access.**

- A. Bay beaches.

- (1) Bay beaches associated with tidal waters within the Town of Southampton, defined as the area between the mean low- and mean high-water marks and known historically as the "passing way," are open to the freeholders and commonalty at all times, as follows:
  - (a) South Shore: all beaches associated with bays, tidal ponds and creeks from Moriches Inlet on the west to Sagaponack on the east, from the Brookhaven/Riverhead Town lines in the west to the East Hampton Town line in the east, including, but not limited to, Sagg Pond, Mecox Bay, Quantuck Bay, Moriches Bay, Tiana Bay, Shinnecock Bay, and all those inland creeks, bays or harbors, which border the Peconic Bay system. Said areas are owned by the Southampton Town Trustees.
  - (b) North Shore: all beaches associated with inland bays and creeks, from Reeves Bay on the west to Sag Harbor Cove on the east.
  - (c) Peconic Beach Road: all that area, 75 feet in width, owned by the Southampton Town Trustees, known as Peconic Beach Road, bounded on the east by Sebonac Inlet, bounded on the west by the entrance of Shinnecock Canal, bounded on the north by the high-water mark of Peconic Bay. West of the Canal is a right-of-way, designated by the Act of 1738, which terminates east of the east side of Red Creek Pond Inlet.
  - (d) Shinnecock Beach Road: all that area, 50 feet in width, owned by the Southampton Town Trustees, known as Shinnecock Beach Road, bounded on the east by the entrance to Old Fort Pond, bounded on the west by a point 300 feet west of Crab Road, Hampton Bays, bounded on the south by the high-water mark of Shinnecock Bay.
  - (e) All that area owned by the Town of Southampton which borders any tidal or fresh waters, including but not limited to Foster Memorial Beach in Noyack, Circle Beach (Hallock's Beach) in Noyack, and Towd Point in North Sea.
  - (f) The terminus of all Town or Town Trustee roads leading to any body of water within the Town.
- (2) Any otherwise legal activity is permitted between the mean high-water and mean low-water marks, including but not limited to walking, sunbathing, fishing, beaching boats and hauling seines.
- (3)
  - (a) No person shall conduct any activity or place between the high-water and low-water mark of any bay beach or within Peconic Beach Road or Shinnecock Beach Road any item or structure that would impair or prevent the public's right of access and to pass and repass by foot or by any vehicle permitted to drive on the beach pursuant to the rules and regulations of the Trustees regarding beach driving.
  - (b) No person shall leave any personal belongings, structures, or vessels, or other items including but not limited to cinder blocks, umbrella stands, umbrellas, chairs, grills, or tables overnight (from sunset to dawn) between

the high-water and low-water marks of any bay beach.

(c) No person shall leave any personal belongings, structures, or vessels, or other items including but not limited to cinder blocks, umbrella stands, umbrellas, chairs, grills, or tables overnight (from sunset to dawn) or for longer periods of time within Peconic Beach Road or Shinnecock Beach Road without the prior approval of the Trustees by permit or resolution.

(d) No person shall chain, tie up, or leave any vessel, including canoes, kayaks, paddleboards, surfboards, inner tubes or pool floats against or otherwise attached to any staircase, bulkhead, fence, or retaining wall under the ownership or control of Trustees without the prior approval of the Trustees by permit or resolution. This includes but is not limited to any stairs, retaining walls, fences, or bulkheads located at Town or Trustee road ends.

~~(4)(3)~~ Nothing herein shall be construed to sanction public trespass on private property.

~~(5)(4)~~ It shall be deemed a violation of these regulations for any person to block the public's access to beaches as set forth in this Subsection A.

B. Ocean beaches within the Town are open to the public at all times within the easement held by the Trustees consisting of the area between the high-water mark and the crest of the dune. In addition, the area between high water and low water is also a "passing way." The easement along the Atlantic Ocean is bounded on the north by the crest of the primary dune, on the east by the easterly Town line, on the south by the high-water mark of the Atlantic Ocean and on the west by the westerly Town line. This area is a right-of-way granted by the Dongan Patent and upheld by subsequent court cases.

(1)

(a) No person shall conduct any activity or place within the "passing way" or the Trustees' easement any item or structure that would impair or prevent the public's right of access and to pass and repass by foot or by any vehicle permitted to drive on the beach pursuant to the rules and regulations of the Trustees regarding beach driving without the prior approval of the Trustees by permit or resolution of the Trustees.

(b) Nothing herein shall be construed to sanction public trespass on private property.

(2) It shall be deemed a violation of these regulations for any person to block the public's access to beaches as set forth in this Subsection B.

#### § 65. Beach fencing.

- A. On ocean beaches, no fencing shall be installed more than 10 feet seaward of the toe of the dune. In the absence of a dune, a line drawn connecting the toes of the nearby dunes on either side shall be considered the toe.
- B. Sand collection fencing, commonly known as "snow fencing" is to be placed parallel to the toe of dunes only. It is to be installed in any of three configurations: "straight run," "running W," or "double diamond."
- C. Beach fencing is to be installed solely for the collection of sand for the replenishment of

the dunes. This fencing is not to be used for exclusionary purposes and shall not contain gates.

- D. The owner of beach fencing not meeting Trustee regulations shall be notified and given 30 days to remove the fence.
- E. Only wooden stakes or posts are to be used on the installation of snow fencing or any other erosion control device on the dunes or beaches in the Town of Southampton.
- F. A permit from the Southampton Town Trustees is required for the erection of sand collection fencing. The permit fees for sand fencing are the same as for bulkheading (per linear foot).
- G. All dune restoration/beach scraping projects must have a valid Trustee's permit.
- H. No dune restoration/beach scraping projects may be done during the piping plover or least tern breeding season, April 1 through August 31 of any given year.
- I. Sand fencing shall not be installed before March 1 (after the winter storms end) or during piping plover season (March 31 through September 15) without a plover inspection being done first.

**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 and subsequent Acts of the New York Legislature including, Chapter 255 of the Laws of 1818, Chapter 283 of the Laws of 1831.

**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 Adoption 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 June 3, 2019, and the Board of Trustees at its meeting of June 3, 2019 adopted an amendment to Rules and Regulations for Management and Products of the Waters of the Town of Southampton ("Blue Book"), Article XII (Beach Regulations and 4 x 4 Beach Driving) in order to prohibit certain activities that impair the public's right of access and the right to pass and repass on the bay and ocean beaches in the Town of Southampton.

**SUMMARY OF PROPOSED LAW**

The proposed amendments prohibit activities that prevent or impair the right of pass and repass between the high and low water marks of bay and ocean beaches, prohibit activities that impair the right of pass and repass and the leaving of items overnight within easements held by the Trustees without the prior approval of the Trustees, and prohibit the unregulated chaining or fastening of vessels and flotation devices to stairs, retaining walls, fences, or bulkheads located at Town or Trustee road ends without prior permission of the Trustees.

Copies of the amendment 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

✓ <b>Vote Record - Trustees 2019-TRUS-194</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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 2019-195**

**Category:** Resolutions  
**Sponsors:** Edward J. Warner, Jr.  
**Department:** Trustees of the Freeholders

**Authorize Name Change of Canoe Place Road Located East of the Shinnecock Canal to Old Canoe Place Road and Changing the Name of Canoe Place Road Located East of Hill Station Road to Old Canoe Place Road East**

WHEREAS, on August 6, 2018 and October 15, 2018, and June 3, 2019, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton held public hearings to hear any and all persons either for or against changing the name of the road currently known as Canoe Place Road in Hampton Bays and Shinnecock Hills that is located east of the Shinnecock Canal beginning at North Road (County Road 39) and traveling in an easterly direction (including an unimproved portion of the road) ending at Montauk Highway (Route 27A) to the new name of Old Canoe Place Road and changing the name of the road currently known as Canoe Place Road in Shinnecock Hills located east of Hill Station Road and traveling in an easterly direction a total of 1,145.4 feet and ending at a dead end to the new name of Old Canoe Place Road East;

WHEREAS, there are currently three roads within the Town of Southampton known as Canoe Place Road - two of which are located in the hamlet of Hampton Bays (one west of the Shinnecock Canal and one east of the Shinnecock Canal that extends into the hamlet of Shinnecock Hills) and the other one is also located in Shinnecock Hills; and

WHEREAS, the Board of Trustees are the purported owners of the two roads known as Canoe Place Road located east of the Shinnecock Canal in Hampton Bays and Shinnecock Hills; and

WHEREAS, the Board of Trustees has been advised by the local Fire Department and Emergency Medical Services that it can be confusing to determine whether a residence is located on Canoe Place Road east or west of the Shinnecock Canal; and

WHEREAS, and the Board of Trustees has received a letter from the Southampton Town Police in support of the proposed name change; now therefore be it

RESOLVED, that the Board of Trustees hereby changes the name of the road currently known as Canoe Place Road in Hampton Bays and Shinnecock Hills that is located east of the Shinnecock Canal beginning at North Road (County Road 39) and traveling in an easterly direction (including an unimproved portion of the road) ending at Montauk Highway (Route 27A) to **Old Canoe Place Road** and hereby changes the name of the road currently known as Canoe Place Road in Shinnecock Hills located east of Hill Station Road and traveling in an easterly direction a total of 1,145.4 feet and ending at a dead end to the new name of **Old Canoe Place Road East**; and be it further

RESOLVED that, within 10 days, the Board of Trustees shall provide a copy of this resolution to the Southampton Town Planning Board, the Suffolk County Clerk, the Suffolk County Engineer, the Southampton Town Police Department, the Town PSAP/E-911, Southampton Town Code Enforcement, the Hampton Bays and Southampton Fire Districts, Southampton Fire Department, Southampton Volunteer Ambulance Corps, the Hampton Bays Fire Department, the Hampton Bays Volunteer Ambulance Corps, the Hampton Bays and Southampton School Districts, the United States Post Offices located in Hampton Bays and Southampton, the Town Highway Department, the Town Information System GIS Division, and the Town Sole Assessor.

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-195						
		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 2019-196**

**Category:** Public Hearings - Trustees  
**Sponsors:** Scott Horowitz  
**Department:** Trustees of the Freeholders

**Notice of Public Hearing for a License Agreement between the Board of Trustees and Cornell Cooperative in Connection with the Long Island Shellfish Restoration Program**

WHEREAS, the Trustees wish to receive comments from the public on a proposed license agreement between the Trustees and Cornell Cooperative Marine Extension to place seed and/or juvenile clams and oysters in the Trustee-owned bottom lands of Shinnecock Bay, more specifically within the Trustees shellfish and spawner sanctuaries described in section 17 of the Rules and Regulations for Management of the Products of the Waters of the Town of

Southampton (the Blue Book") in connection with the New York State funded Long Island Shellfish Restoration Project.

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby directs that a public hearing shall be held on **June 17, at 1:00 p.m.**, at the Town of Southampton, 116 Hampton Road, Southampton, New York, to hear any and all persons with respect to a proposed

**RESOLVED**, that the following Notice of Public Hearing shall be immediately submitted for publication in the official newspaper(s) of the Trustees and to post the same on the official Trustees signboard:

**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton on **June 17, 2019 at 1:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a proposed license agreement between the Trustees and Cornell Cooperative Marine Extension to place seed and/or juvenile clams and oysters in the Trustee-owned bottomlands of Shinnecock Bay, more specifically within the Trustees shellfish and spawner sanctuaries described in section 17 of the Rules and Regulations for Management of the Products of the Waters of the Town of Southampton (the Blue Book") in connection with the New York State funded Long Island Shellfish Restoration Project.

Copies of the proposed license agreement 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 OF THE TOWN OF SOUTHAMPTON  
SOUTHAMPTON, NEW YORK  
EDWARD J. WARNER, JR., PRESIDENT

✓ Vote Record - Trustees 2019-TRUS-196						
		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 2019-197**

**Category:** Public Hearings - Trustees  
**Sponsors:** Edward J. Warner, Jr.  
**Department:** Trustees of the Freeholders

**Notice of Public Hearing to Amend Article II Section 17 (Spawner Sanctuaries) of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton**



BE IT HEREBY RESOLVED, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby directs that a public hearing shall be held on **June 17, 2019 at 1:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against an amendment of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton amending Article II Section 17 entitled "Spawners Sanctuaries" to include Tiana Bay and the northerly portion of Shinnecock Bay West on the list of spawner sanctuaries as follows:

A RESOLUTION amending Article II Section 17 of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton to include Tiana Bay and the northerly portion of Shinnecock Bay West on the list of spawners sanctuaries.

BE IT ENACTED by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton as follows:

**SECTION 1. - Legislative Intent.**

The Trustees have instituted several "spawner sanctuaries" in order protect the propagation of shellfish species in certain bodies of water in the Town of Southampton. This proposed amendment adds Tiana Bay and the northern portion of Shinnecock Bay. The addition of the northern portion of Shinnecock Bay to the list of spawner sanctuaries is motivated by the collaborative efforts of the Trustees, Cornell Cooperative Marine Extension, and Dr. Chris Gobler of SUNY Stony Brook in connection with a shellfish seeding project for the purposes of water quality restoration that is part of to the Long Island Shellfish Restoration Project ("LISRP").

**SECTION 2. - Amendment.**

Article II Section 17 of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton) is hereby amended by adding the underlined words as follows:

SECTION 17. Spawner sanctuaries.

A. Spawner sanctuaries are located within the following Southampton Town waters:

- (1) North Shore:
  - Mill Creek
  - North Sea Harbor
  - Noyack Creek
  - Red Creek Pond
  - Sag Harbor Cove
  
- (2) South Shore:
  - Moriches Bay (west of Pickett Point)
  - Old Fort Pond
  - Quantuck Bay
  - Shinnecock Bay West (northern portion), specifically all those Southampton Town waters lying north of the following line:

Beginning at a point on the southeasterly shore of Penniman's Creek at (40° 49' 13.595"N, 72° 34' 56.709"W); and running in a southerly direction to point at (40° 49' 8.737"N, 72° 34' 55.853"W), said point being the northerly edge of the Intracoastal Waterway; and continuing in a northeasterly direction along the northerly edge of said Intracoastal Waterway to the following point (40° 49' 12.851"N, 72° 34' 50.317"W);

and further continuing in a northeasterly direction along the northerly edge of said Intracoastal Waterway to the following point (40° 49'50.133"N, 72° 34' 7.621"W); and continuing in a northeasterly direction to point (40° 50' 23.13"N, 72° 33' 37.702"W), said point being the shoreline seaward of the boundary line between the residential property at 48 Landing Road, East Quogue and the boat basin property now of formerly of the Pine Neck Landing Association, East Quogue.

Taylor Creek in Heady Creek  
Tiana Bay  
Weesuck Creek

B. Spawner sanctuaries within Southampton Town waters are off limits to commercial and recreational shellfish harvesting. For more specific information, see the map at the Southampton Trustees' office or on the website.

**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 PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton on June 17, 2019 at 1:00 p.m. at the Southampton Town Hall, 116 Hampton Road, Southampton, New York to hear any and all persons either for or against "A RESOLUTION to amend Article II Section 17 of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton in order to include Tiana Bay and the northerly portion of Shinnecock Bay West on the list of spawner sanctuaries."

Summary of Proposed Law

The Board of Trustees of the Freeholders and Commonalty of the Town of Southampton intend to amend Article II Section 17 of the Rules and Regulations of for the Management and Products of the Waters of the Town of Southampton in order include Tiana Bay and the northerly portion of Shinnecock Bay West on the list of spawners sanctuaries.

Copies of the proposed amendments are on file in the Trustees 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

✓ <b>Vote Record - Trustees 2019-TRUS-197</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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 2019-198**

**Category:** Public Hearings - Trustees  
**Sponsors:** Bruce A. Stafford  
**Department:** Trustees of the Freeholders

**Notice of Public Hearing to Amend Article I Section 1 (Definitions) and Article XVII (Ocean Beach Events and Permits)**

**BE IT HEREBY RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby directs that a public hearing shall be held on **June 17, 2019 at 1:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against an amendment to the Rules and Regulations of for the Management and Products of the Waters of the Town of Southampton amending Article I Section 1 (Definitions) and Article XVII (Ocean Beach Events and Permits) in order to clarify the rules and regulations regarding events held on ocean and bay beaches and other Trustee owned or controlled properties.

**A RESOLUTION** amending Article I Section 1 (Definitions) and Article XVII (Ocean Beach Events and Permits) in order to clarify the rules and regulations regarding events held on ocean and bay beaches and other Trustee owned or controlled properties.

**BE IT ENACTED** by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton as follows:

**SECTION 1. - Legislative Intent.**

The proposed amendment will codify the permit requirements and application procedures for events, including fireworks, taking place on both ocean and bay beaches and other Trustee owned or controlled properties in order to better protect natural resources, the products of the water, and the public’s right of access and pass and repass on the beaches within the Town of Southampton. The current versions of Article I Section 1 and Article XVII only apply to events on ocean beaches, and fail adequately protect the other beaches and resources or Trustee owned or controlled properties where past events have taken place without adequate oversight and protection of said natural resources and the public’s rights which the Trustees are tasked with protecting.

**SECTION 2. - Amendment.**

Article I Section 1 and Article XVII 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 I

**Definitions, Notifications of Defects, Severability**

**§1. Definitions.**

***(To be deleted from present location, and inserted between "DUCK BLIND" and "FREEHOLDER")***

~~BEACH EVENTS- Any social or commercial, activity or similar gathering proposed to be located within or conducted upon any Ocean Beach Area ocean beach, pond, road end, area or any other underwater lands or facility under the ownership or control of the Board of Trustees where the event is a catered event.~~

***(To be inserted between "RESIDENT" and "SHELLFISH")***

ROAD END-The end point of any Trustee owned roadway or right-of-way that ends at a point of access to any beach, shoreline, or body of water owned or under the control of the Trustees which requires a vehicle to possess a beach parking sticker issued by the Town of Southampton Department of Parks and Recreation, or a Trustee issued 4x4 or boat ramp permit, or a Trustee issued parking permit for parking in that area.

ARTICLE XVII

**Ocean Beach Events and Permits**

**§70. Permit required for ocean beach events.**

A. No individual, partnership, corporation, limited liability company, or other entity or organization shall hold or conduct an event within the ocean any beach, pond, road end, area or any other underwater lands or facility under the ownership or control of the Board of Trustees unless a beach event permit has been issued by the Board of Trustees.

B. Any individual, partnership, corporation, limited liability company, or other entity or organization applying to the Town of Southampton for an events permit to be issued under Chapters 111, 162, or 283 of the Code of the Town of Southampton that will involve the use of any beach, pond or facility under the control of the Board of Trustees will be required to obtain an event permit from the Board of Trustees.

**§71. Application for permit; approval.**

A. In the event of an event involving a group of 50 or more persons, the application for a beach event permit shall be filed with the Board of Trustees at least 30 days prior to the proposed date of the event. An event with an anticipated attendance of 20-99 persons shall be required to make an application for the event at least 30 days in advance of the proposed date of the event; an event with an anticipated attendance of 100 persons or more, shall make an application for the event at least 90 days in advance of the date of the event; any use of Trustee owned or controlled property for the purposes of engaging in any kind of commercial photography, cinematography, videography, or any event that shall be open to the public at large shall make an application for the event at least 90 days in advance of the event.

B. In determining whether to issue a beach event permit, the Board of Trustees may consider and impose reasonable conditions which shall constitute beach event permit conditions. These conditions may include but not be limited to the consideration of the following: the size of the property in relation to the number of persons expected to attend the gathering, the frequency of the special event, potential impacts on natural resources and

protected or threatened species, and whether it constitutes a use of the property compatible with ~~its~~ the property's character or that of the surrounding area.

C. Regardless of the anticipated number of people attending, every organizer of an event involving the use of pyrotechnic devices or fireworks that requires a permit from the Fire Marshal of the Town of Southampton shall also make application for an event permit from the Board of Trustees if the location of the pyrotechnic or firework exhibition shall take place on, over, or be staged from any area under the ownership or control of the Board of Trustees.

ED. Permits issued by the Board of Trustees are not transferable and shall expire at the designated time for the close of the event for which it is issued.

~~DE. Terms and conditions of the permit. The issuance of a permit shall be by resolution of the Board of Trustees deemed an approval of the application and shall require the applicant to undertake all actions proposed in the application for the control of traffic, parking, noise, lighting, refuse and the like. and the event shall be subject to any other terms or conditions imposed in the permit in any resolution of the Board of Trustees approving the permit or in any permit obtained from other applicable agencies of the Town of Southampton. departments designated by the Board of Trustees.~~

EF. Privilege. The granting of a ~~beach~~ an event permit by the Board of Trustees is a privilege and not a right, and may be denied in the event an applicant fails to comply with any applicable provision of this chapter, or for any other reason not prohibited by law; the Board of Trustees reserve the right to revoke or withdraw any permit issued due to mistake, or one issued by them upon discovery of any misstatement of a material fact, or a permit obtained as a result of fraud.

FG. An application for a ~~beach~~ an event permit shall be accompanied by an application fee in an amount to be determined by the Board of Trustees which may be established and modified from time to time by resolution.

GH. ~~A beach~~ An event permit issued by the Board of Trustees shall be displayed in clear view at the event.

HI. Required applications must be submitted and approvals obtained from any other regulatory entities, including but not limited to the Town of Southampton.

IJ. The Board of Trustees may establish from time to time, by resolution, rules and regulations of events within the ocean beach area.

## **§72. Piping plover and least tern monitoring.**

For any event held between April first and October first, an on-site inspection must be conducted for any beach event permit application where the proposed event site is in the proximity of piping plovers, or least terns, or any other specie(s) deemed endangered or threatened by the State of New York, or the federal government. Such an inspection and evaluation will reveal whether special conditions must be included in the permit and whether a monitor is necessary in order to preserve the integrity of the habitat and nesting sites. The amount for initial inspection fees and monitor fees shall be determined by the Board of Trustees, which amount may be established and modified from time to time by resolution.

## **~~§73. Event rules and regulations; permit conditions.~~ (RESERVED FOR FUTURE USE)**

~~A. The Board of Trustees may establish from time to time, by resolution, rules and regulations~~

~~of events within the ocean beach area.~~

~~B. Such rules and regulations shall be deemed to be event permit conditions and any violation of such rules and regulations shall be deemed a violation of this section.~~

**§74. Trespassing; liability; compliance with other regulations.**

A. Issuance of a ~~beach~~ an event permit shall not be construed as authorizing any person to trespass upon real property.

B. Issuance of a ~~beach~~ an event permit shall not be construed as imposing any liability on the Board of Trustees for any personal injury or property damage which may be sustained by any person attending the event. Issuance of a beach event permit shall not be construed as creating any duty owed by the Board of Trustees to any person attending the event.

C. Issuance of a ~~beach~~ an event permit shall not be construed as authorizing violations of any provision of the Town Code or the Town of Southampton, or any applicable Village Code.

D. Such rules and regulations shall be deemed to be event permit conditions and any violation of such rules and regulations shall be deemed a violation of this section.

E. In the event of a conflict in conditions imposed by any permit simultaneously issued by the Trustees and the Town of Southampton for the same event, the conditions imposed by the Trustees' permit shall control in all areas controlled or owned by them.

**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 and subsequent Acts of the New York Legislature including, Chapter 255 of the Laws of 1818, Chapter 283 of the Laws of 1831.

**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 PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton on **June 17, 2019 at 1:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against an "A RESOLUTION amending the Rules and Regulations of for the Management and Products of the Waters of the Town of Southampton amending Article I Section 1 (Definitions) and Article XVII (Ocean Beach Events and Permits) in order to clarify the

rules and regulations regarding events held on ocean and bay beaches and other Trustee owned or controlled properties.”

Summary of Proposed Law

The proposed amendment will codify the permit requirements and application procedures for events, including fireworks, taking place on both ocean and bay beaches and other Trustee owned or controlled properties in order to better protect natural resources, the products of the water, and the public’s right of access and pass and repass on the beaches within the Town of Southampton. The current versions of Article I Section 1 and Article XVII only apply to events on ocean beaches and fail adequately protect the other beaches and resources or Trustee owned or controlled properties where past events have taken place without adequate oversight and protection of said natural resources and the public’s rights which the Trustees are tasked with protecting.

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

✓ <b>Vote Record - Trustees 2019-TRUS-198</b>						
<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			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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 2019-199**

**Category:** Resolutions  
**Sponsors:** Edward J. Warner, Jr.  
**Department:** Trustees of the Freeholders

**2019 Notice to Commercial and Recreational Shellfish Harvesters Regarding the North Sea Harbor Management Zone**

**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 North Sea Harbor Management Zone to be open for the taking of hard clams by **Commercial and Recreational Shellfish Harvesters** during the following periods. All dates are inclusive:

**May 21, 2019 – June 3, 2019**  
**June 25, 2019 – July 9, 2019**  
**August 27, 2019 – September 2, 2019**

**December 23, 2019 – January 1, 2020**

and; be it

**FURTHER RESOLVED**, that the area will be open every **Tuesday beginning May 28, 2019 through September 3, 2019**; and be it

**FURTHER RESOLVED**, that the Harvesting Limits are as follows:

- **Two (2) bushels of Little Neck Clams a day** (*All such clams to measure at least one inch (1") in thickness*)
- **There will be no restrictions on the larger Cherrystone and Chowder Clams;**
- **The Recreational allowable Harvest is a 100 clams per day;** and be it

**FURTHER RESOLVED**, that the Southampton Town Bay Constables have been directed to strictly enforce such limits. Davis Creek, which is a seasonally certified creek off of North Sea Harbor, does not follow the same limitations and other commercial harvesting restrictions as the North Sea Harbor Management Zone. Davis Creek is seasonally certified for the harvesting of shellfish from December 1<sup>st</sup> to April 30<sup>th</sup>.

✓ <b>Vote Record - Trustees 2019-TRUS-199</b>						
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>	
<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 2019-200**

**Category:** Resolutions  
**Sponsors:** Bruce A. Stafford  
**Department:** Trustees of the Freeholders

**Authorize Survey of 53 Pine Neck Avenue, Noyac (SCTM # 900-5 -1-13.1)**

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of Southampton are the owners of real property known as 53 Pine Neck Avenue in Noyac (SCTM# 900-5-1-13.1); and

WHEREAS, it has come to the attention of the Trustees that certain improvements constructed by the neighboring property to the north may be encroaching on the Trustees' property; and now therefore be it

RESOLVED, that the Board of Trustees hereby authorize a survey to be made of the aforementioned property.



✓ <b>Vote Record - Trustees 2019-TRUS-200</b>					
<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		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	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. Executive Session – Litigation***

***XII. Closing***