



Regular Meeting of July 9, 2019

7:00 PM

Tuesday, July 9, 2019 **7:00 PM** **Bridgehampton Senior Center**

I. Call to Order

7:00 PM Meeting called to order on July 9, 2019 at Bridgehampton Senior Center, 585 Bridgehampton-Sag Harbor Turnpike, Bridgehampton, 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

Regular Meeting: July 10, 2019 at 1:00 p.m.
Work Session: July 31, 2019 at 3:00 p.m.

V. Discussions / Presentations

1. Justin Jobin, Environmental Projects Coordinator, Suffolk County Department of Health Services regarding Reclaim our Waters Initiative (Welker).
2. Edwina von Gal, Prft Earth Project (Welker).

VI. Public Hearings

- 1. Public Hearing to Amend Article XII. Beach Regulations and 4 x 4 Beach Driving**
Adjourned 6/3/2019 1:00 PM

✓ 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 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

Adjourned 6/3/2019 1:00 PM

✓ 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"/>

VII. Public Portion

VIII. Resolutions

Trustees Resolution 2019-194

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

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

History:
 06/03/19 Trustees of the Freeholders TABLED Next: 07/09/19

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

✓ Vote Record - Trustees 2019-TRUS-194						
<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 2019-195

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

History:
 06/03/19 Trustees of the Freeholders TABLED Next: 07/09/19

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						
<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"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>
	Bruce A. Stafford	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>

Trustees Resolution 2019-218

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

Notice of Adoption of Amendment to Article II Section 17 (Spawner Sanctuaries) of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton

History:
06/17/19 Trustees of the Freeholders TABLED Next: 07/09/19

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton is considering amending Article II Section 17 entitled "Spawner Sanctuaries" of the Rules and Regulations of 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; and

WHEREAS, a public hearing was held on June 17, 2019, at which time any and all persons either for or against the amendment were heard; now therefore be it

RESOLVED, that Article II Section 17of the Rules and Regulations for Management and

Products of the Waters of the Town of Southampton is hereby adopted 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 spawner 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 (Spawner Sanctuaries) 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 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 17, 2019, and the Board of Trustees at its meeting of June 17, 2019 adopted an amendment to the Rules and Regulations for Management and Products of the Waters of the Town of Southampton ("Blue Book"), Article II Section 17 entitled (Spawner Sanctuaries) in order to include Tiana Bay and the northerly portion of Shinnecock Bay West on the list of spawner sanctuaries and

SUMMARY OF PROPOSED LAW

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 amendment adds Tiana Bay and the northern portion of Shinnecock Bay to the list of spawner sanctuaries. 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").

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

✓ Vote Record - Trustees 2019-TRUS-218						
<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 2019-233

Category: Agreements, Contracts, Leases - Trustees

Sponsors: Ann E. Welker

Department: Trustees of the Freeholders

Recall and Amend Trustees Resolution No. 2019-220: Authorize Gobler/Stony Brook University to Install Data-Logging Buoys in Mill Pond and Sagg Pond

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of Southampton are the owners of the underwater lands known as Mill Pond in Water Mill and Sagg Pond in the Village of Sagaponack; and

WHEREAS, these water quality of these water bodies is frequently impaired by harmful algal blooms; and

WHEREAS, Dr. Chris Gobler of Stony Brook University has proposed to install data-logging buoys in Sagg Pond and Mill Pond, which will be installed in June 2019 and will remain deployed through the fall of 2019; and

WHEREAS, as consideration for permission to install these buoys, Dr. Gobler or his students will provide a final report and presentation in early 2020 on the data and findings; and

WHEREAS, the Trustees believe this research will benefit the health, welfare, and safety of the residents of the Town of Southampton; and

WHEREAS, the Trustees approved Resolution No. 2019-220, which authorized the installation of said research buoys upon the presentation to the Trustees of a Certificate of General Liability insurance in the amount of \$1,000,000.00 per occurrence for bodily injury and \$1,000,000.00 per occurrence for property damage, with an aggregate of \$2,000,000.00 that names the Trustees of the Freeholders and Commonalty of the Town of Southampton, the Town of Southampton, and the Village of Sagaponack as additional insureds; and

WHEREAS, Dr. Gobler has informed the Trustees that Stony Brook University is "self-insured" and unable to provide a certificate of liability insurance; and

WHEREAS, because the Trustee find that academic research on water quality serves a valuable public need and will benefit the inhabitants of the Town of Southampton, the Trustees will allow Dr. Gobler and his research to continue provided they are indemnified and held harmless; now therefore be it

RESOLVED, the Trustees hereby recall and amend Trustees Resolution No. 2019-220 to grant their permission to Dr. Gobler/Stony Brook University to install said research buoys upon the

presentation to the Trustees of executed indemnification and hold harmless agreements from Dr. Gobler and any participant in his research projects on Mill Pond and Sagg Pond.

✓ Vote Record - Trustees 2019-TRUS-233						
<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"/>

IX. Closing