

NOYAC CITIZENS ADVISORY COMMITTEE

Minutes of the August 29, 2012 Meeting

The meeting of the Noyac Citizens Advisory Committee was called to order at 7:05 P.M. at the Old Noyac School House, Noyac Road, Noyac.

Members Present: George Tucker, Chairman, John Distefano, Co-Chairperson, Sherry J. Kiselyak, Co-Chairperson & Secretary, Gene Polito, John Anderson, Julie Penny; also in attendance were Southampton Town Trustees Eric Shultz, William Pell, Ed Warner, Jr., and Fred Havermeyer

Pledge of Allegiance to the Flag

The minutes of the June 27, 2012 meeting were approved.

The Chairman welcomed the guest speakers for the evening, Eric Shultz, President of the Southampton Town Trustees, and Trustees William Pell, Ed Warner, Jr. and Fred Havermeyer. A member asked if Trout Pond came under the jurisdiction of the Trustees. Mr. Shultz advised that it did not, and that the Parks Department would be the department to contact concerning any issues with that park. A brief discussion ensued concerning the berm that holds the pond back from over-flowing onto Noyac Road. Mr. Shultz did report that Marty Shea from the Town's Environment Division had been to that site, and that larger trees were cut down as their root systems were loosen the rocks in the berm. There was also concern that if the trees fell during a storm, they would take the berm with them. The Town also contacted the NYS Department of Environmental Conservation and the Town Engineer concerning clearing in that area, however, the Trustees were not consulted. A question was raised as to the water quality of that pond. A suggestion was made to contact the Town Board for the results of the water testing in the area associated with The Bridge golf course.

The reoccurring problem with brown (mahogany) tide was discussed. The Trustees advised that the waterways at the eastern end of the Town were effected more than the western parts. The probably cause of same is from fertilizers, which can actually be tracked through groundwater. These tides kill off fish populations, as well as scallops and other shellfish. It was noted the Town is proposing a local law concerning upgrading individual septic systems even though the Suffolk County Department of Health Services already regulates same. As more than half the residents of Noyac are senior citizens, there was concern over the costs involved to upgrade a septic system. It was noted other towns, such as South Salem, NY, require residents to pump-out their systems every five years. Cape Cod requires an upgrade on the sale of a house. Credits for upgrading systems are being discussed by the Town as well. Mr. Havermeyer stated that, conceptually, the Trustees are in favor of the law, however, the costs to the homeowners are a concern. Various new methods, such as electric septic systems, were discussed. Unfortunately, the increase in population brings more runoff, more fertilizers and more septic systems. The increases in these stresses, along with acid rain, the disposal of pharmaceuticals, large estates watering too often, all contribute to pollute our waterways. It was mentioned that years ago Rowe Industries and Bulova in Sag Harbor just dumped chemicals into the ground for years, causing same to follow the groundwater out to the Cove.

The duties of the Trustees were discussed. It was noted that in the years past whatever the Trustees approved or disapproved was not questioned. Now, all too often, homeowners are quick to sue to get what they want. The various suits pending in the Town of East Hampton (i.e., homeowners erecting fences to block public access) and the Village of West Hampton Dunes were mentioned. The Trustees pay for the defense of these suits, not the Town. The issues with the Village of Quogue and the NYSDEC concerning the coastal erosion hazard lines were also discussed. The Courts have ruled that since the houses are so valuable, the owners have a right to try to protect their investments, so revetments/bulkheads are continually being constructed, which the Trustees are opposed to.

The Trustees reported they are currently trying to get laws passed through the State Legislature to clarify our rights under the Dongan Patent and to reinforce the Trustees' easement rights. It was noted that Senator Lavelle failed to back the Trustees in these efforts. The Secretary noted that a Petition is available for any and all Southampton Town residents to sign to support the Trustees in this battle. Copies are also available at the Trustee's office at Town Hall.

A suggestion was made for the Trustees to issue newsletters to inform the public of these various important issues and of all the Trustees' efforts to keep the taxpayers' rights intact for generations to come.

A member asked if the Town Board supported the Trustees in their efforts to protect the taxpayers' rights, both through adopting resolutions in support and financially. It was noted the Town does not budget any funds to the Trustees, and that the Trustees obtain funds through various other methods, such as selling the sand from the Mecox cut project, leasing out parking lots and collecting fees from commercial shellfish licenses.

A question was asked if Noyack Creek was safe for shellfishing. Mr. Warner stated that only limited shellfishing is permitted at the north end.

It was noted the Stony Brook/Southampton College recently obtained a \$3 million grant to establish oyster reefs. Since oysters filter more than 50 gallons of water per day, the more shellfish, the more water filtering to help mitigate brown tides. The Shinnecock Nation is also setting up oyster hatcheries.

It was mentioned that the State has a trolling boat (the "Wallace") in Noyac Bay that is collecting data on fish populations.

It was also noted that the Southampton, East Hampton and the Southold Trustees are all working together to keep our rights to our beaches intact. Southampton has 26 miles of beaches and 100 ponds. Access to these ponds and private kettleholes was discussed.

The members thanked the Trustees for taking time to meet with them and for protecting our waterways and beaches and the rights of all of the residents.

The members discussed the hedges at the Noyac Cemetery, which have not been cut even though the Town contracts to have them cut twice a year.

The East Hampton Airport was discussed. It was noted a rally will be held at that location this Friday. In light of some of the meetings held concerning the airport, the members had various questions such as why East Hampton is relying on complaint calls only, has the groundwater under the airport ever been tested, has purchasing the Montauk Airport ever been considered, who gives the helicopter pilots the authority to fly the routes currently being taken, why aren't altitudes and hours restricted, and why is the Town of East Hampton still accepting FAA funds. The members agreed to contact Councilperson Christine Scalera concerning these issues and ask her to attend the next joint meeting concerning the airport.

Other items briefly discussed were the status of the Sand Land Corp. ZBA applications, the new Cromer's Market calming plan, the suggestion of a barrier fence along Long Beach in the vicinity of Bay Point, and solar sensor lights along the old Long Beach road. The issue of the Village of Sag Harbor eliminating their police force was also discussed. It was felt that if the Town had to police that Village, there would be an increase in taxes to all Town residents to cover the costs of same.

There being no further business before the membership, the meeting was adjourned at 9:16 P.M.

Respectfully submitted on September 21, 2012
by Sherry J. Kiselyak, Secretary

The next scheduled meeting of the Noyac CAC will be held on **Wednesday, September 26, 2012** at the Old Noyac School House.

